

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. RARICK introduced a bill (H.R. 10076) for the relief of Brandywine-Main Line Radio, Inc., WXUR and WXUR-FM, Media, Pa.; to the Committee on the Judiciary.

## PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

261. By the SPEAKER: Petition of Robert M. Owings, San Pedro, Calif., relative to redress of grievances; to the Committee on Armed Services.

262. Also, petition of the American Legion, Col. Luciano Abia Post 68, Tacloban City, Leyte, Philippines, relative to recognition of Philippine guerrilla service during World War II; to the Committee on Foreign Affairs.

263. Also, petition of Miss Christina M. Boewe, Milwaukee, Wis., relative to the revocation of the license of radio station WXUR, Media, Pa.; to the Committee on Interstate and Foreign Commerce.

264. Also, petition of Mrs. Leslie Burnett, Greenville, S.C., and others, relative to the revocation of the license of WXUR; to the Committee on Interstate and Foreign Commerce.

265. Also, petition of Jacob R. Groff, Millersville, Pa., and others, relative to the revocation of the license of WXUR; to the Committee on Interstate and Foreign Commerce.

266. Also, petition of Randolph D. Lucas, Greenville, S.C., and others, relative to the revocation of the license of WXUR; to the Committee on Interstate and Foreign Commerce.

267. Also, petition of George W. McCoy, Greenville, S.C., and others, relative to the revocation of the license of WXUR; to the Committee on Interstate and Foreign Commerce.

268. Also, petition of Theodore E. Miller, Mechanicsburg, Pa., relative to the revocation of the license of WXUR; to the Committee on Interstate and Foreign Commerce.

269. Also, petition of James B. Snoddy, Greenville, S.C., and others, relative to the revocation of the license of WXUR; to the Committee on Interstate and Foreign Commerce.

270. Also, petition of Truman Lloyd, Dallas, Tex., relative to redress of grievances; to the Committee on the Judiciary.

271. Also, petition of Andrew Rosenberg, Lewisburg, Pa., relative to redress of grievances; to the Committee on the Judiciary.

272. Also, petition of Doris Stevens, Chicago, Ill., and others, relative to impeachment of the President; to the Committee on the Judiciary.

273. Also, petition of Vera L. Timm, Dayton, Ohio, and others, relative to impeachment of the President; to the Committee on the Judiciary.

## SENATE—Wednesday, September 5, 1973

The Senate met at 12 o'clock noon and was called to order by Hon. FLOYD K. HASKELL, a Senator from the State of Colorado.

## PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Almighty God, above all yet near to each of us, we thank Thee for Thy providence which has brought us to this hour. For rested bodies, renewed minds, and rekindled spirits we give Thee thanks. As we undertake the tasks before us, we beseech Thee to keep our hearts pure, our minds clear, our service sacred. Grant us grace to hold high the cross of sacrificial service and to carry the banner of freedom and justice for all men. Through our service here may the Nation be blessed and Thy kingdom advanced.

In the name of the Master Workman who went about doing good. Amen.

## APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. EASTLAND).

The assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE.

Washington, D.C., September 5, 1973.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. FLOYD K. HASKELL, a Senator from the State of Colorado, to perform the duties of the Chair during my absence.

JAMES O. EASTLAND,  
President pro tempore.

Mr. HASKELL thereupon took the chair as Acting President pro tempore.

## MESSAGES FROM THE PRESIDENT RECEIVED DURING ADJOURNMENT

Under authority of the order of the Senate of August 3, 1973, the Secretary

of the Senate, on August 6, 7, 9, 14, 15, and 31, 1973, received messages from the President of the United States.

(The messages, together with their appropriate referral, appear in the RECORD of today.)

## MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT—ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Under authority of the order of the Senate of August 3, 1973, the Secretary of the Senate, on August 4, 1973, received the following message from the House of Representatives:

That the Speaker of the House had affixed his signature to the following enrolled bills and joint resolution:

S. 1888. An act to extend and amend the Agricultural Act of 1970 for the purpose of assuring consumers of plentiful supplies of food and fiber at reasonable prices;

H.R. 8658. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1974, and for other purposes;

H.R. 8760. An act making appropriations for the Department of Transportation and related agencies for the fiscal year ending June 30, 1974, and for other purposes; and

S.J. Res. 25. Joint resolution to authorize and request the President to issue a proclamation designating the fourth Sunday in September 1973, as "National Next Door Neighbor Day."

Under authority of the order of the Senate of August 3, 1973, the Acting President pro tempore, on August 4, 1973, signed the above enrolled bills and joint resolution.

## ENROLLED BILL SIGNED DURING ADJOURNMENT

Under authority of the order of the Senate of August 3, 1973, the Vice President, on August 27, 1973, signed the enrolled bill (H.R. 7935) to amend the Fair Labor Standards Act of 1938 to increase the minimum wage rates under that act, to expand the coverage of that act, and for other purposes, which had previously

been signed by the Speaker of the House of Representatives.

## ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on August 4, 1973, he presented to the President of the United States the following enrolled bills and joint resolution:

S. 502. An act to authorize appropriations for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes;

S. 1410. To amend section 14(b) of the Federal Reserve Act, as amended, to extend for 3 months the authority of Federal Reserve banks to purchase U.S. obligations directly from the Treasury;

S. 1888. An act to extend and amend the Agricultural Act of 1970 for the purpose of assuring consumers of plentiful supplies of food and fiber at reasonable prices; and

S.J. Res. 25. Joint resolution to authorize and request the President to issue a proclamation designating the fourth Sunday in September 1973, as "National Next Door Neighbor Day."

## ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of August 2, 1973, on August 21, 1973, the following Senators were added as additional cosponsors of the bill (S. 1179) to strengthen and improve the private retirement system by establishing minimum standards for participation in and vesting of benefits under pension and profit-sharing-retirement plans; by establishing minimum funding standards; by requiring termination insurance; and by allowing Federal income tax credits to individuals for personal retirement savings:

Mr. LONG of Louisiana, Mr. NELSON of Wisconsin, Mr. CURTIS of Nebraska, Mr. DOLE of Kansas, Mr. GRAVEL of Alaska, Mr. MONDALE of Minnesota, Mr. PACKWOOD of Oregon, Mr. RIBICOFF of Connecticut, and Mr. ROTH of Delaware.

## REPORT OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of August 1, 1973, Mr. LONG, from the Committee on Finance, reported favorably, with amendments, on August 21, 1973, the bill (S. 1179) to strengthen and improve the private retirement system by establishing minimum standards for participation in and vesting of benefits under pension and profit-sharing-retirement plans; by establishing minimum funding standards; by requiring termination insurance; and by allowing Federal income tax credits to individuals for personal retirement savings, and submitted a report (No. 93-383) thereon, which was printed.

## THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, August 3, 1973, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

## MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS AND JOINT RESOLUTIONS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Marks, one of his secretaries, and he announced that the President had approved and signed the following acts and joint resolutions:

On August 6, 1973:

S. 1090. An act to amend the Communications Act of 1934, to extend certain authorizations for the Corporation for Public Broadcasting and for certain construction grants for noncommercial educational television and radio broadcasting facilities, and for other purposes.

On August 10, 1973:

S. 1888. An act to extend and amend the Agricultural Act of 1970 for the purpose of assuring consumers of plentiful supplies of food and fiber at reasonable prices; and

S.J. Res. 144. Joint resolution to provide for a temporary extension of the authority of the Secretary of Housing and Urban Development with respect to the insurance of loans and mortgages, and for other purposes.

On August 13, 1973:

S. 502. An act to authorize appropriations for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes.

On August 14, 1973:

S. 1410. An act to amend section 14(b) of the Federal Reserve Act, as amended, to extend for 3 months the authority of Federal Reserve banks to purchase U.S. obligations directly from the Treasury;

S. 1993. An act to amend the EURATOM Cooperation Act of 1958, as amended; and

S. 2120. An act to amend the Federal Railroad Safety Act of 1970 and other related acts to authorize additional appropriations, and for other purposes.

On August 15, 1973:

S. 1423. An act to amend the Labor Management Relations Act, 1947, to permit employer contributions to jointly administered trust funds established by labor organizations to defray costs of legal services; and

S. 1887. An act to provide for the appointment of alternates for the governors of the International Monetary Fund and of the International Bank for Reconstruction and Development.

On August 16, 1973:

S.J. Res. 25. Joint resolution to authorize and request the President to issue a proclamation designating the fourth Sunday in September 1973, as "National Next Door Neighbor Day."

## REPORT ON NATIONAL HOUSING GOALS—MESSAGE FROM THE PRESIDENT

The ACTING PRESIDENT pro tempore (Mr. HASKELL) laid before the Senate a message from the President of the United States, received by the Secretary of the Senate on August 14, 1973, under authority of the order of the Senate of August 3, 1973, which with the accompanying report, was referred to the Committee on Banking, Housing and Urban Affairs. The message is as follows:

*To the Congress of the United States:*  
I am pleased to transmit herewith the fifth annual report on national housing goals, as required by section 1603 of the Housing and Urban Development Act of 1968.

RICHARD NIXON.

THE WHITE HOUSE, August 14, 1973.

## FEDERAL PAY COMPARABILITY ALTERNATIVE PLAN—MESSAGE FROM THE PRESIDENT

The ACTING PRESIDENT pro tempore (Mr. HASKELL) laid before the Senate a message from the President of the United States, received by the Secretary of the Senate on August 31, 1973, under authority of the order of the Senate of August 3, 1973, which, with the accompanying document, was referred to the Committee on Post Office and Civil Service. The message is as follows:

*To the Congress of the United States:*

At a time when the rising cost of living is a major concern to us all, the Federal Government and its employees have a special obligation to avoid any action that would needlessly fan the flames of inflation. This obligation must not be taken lightly, even in cases when meeting it involves a reasonable element of self-denial.

It is in this spirit, and with the knowledge that the action I am taking will help to hold down the cost of living for all Americans, that I now recommend a sixty day deferral in the pending pay adjustment for Federal employees.

As required by law, I am also transmitting to the Congress an alternative plan designed to meet both the rightful needs of those who serve the Government and the common interest of the general public who must bear the burden of increased inflation.

Under this plan, a pay increase for all Federal employees based upon an appropriate comparability adjustment would become effective on the first pay period beginning on or after December 1, 1973. The level of the comparability adjustment will be determined during the next few weeks. My "agent" on Federal pay, the Director of the Office of Management and Budget and the Chairman of the Civil Service Commission, has recommended an average pay increase of 4.77 percent. This recommendation is now be-

ing reviewed by my advisory committee on pay, and this committee will make its own recommendations to me in late September. At that time, I will make my decision on the appropriate comparability adjustment.

I regret asking for this postponement of a Federal pay increase but there can be no doubt of its necessity. At a critical time in the economic health of our Nation, when many are being called on to make sacrifices in order to hold down inflation, no one should enjoy special immunity. Thus far labor and management in the private sector have done their share by acting with commendable restraint in agreeing upon new wage increases. As one of the largest groups of workers in the country, Federal employees can do no less. In fact, Federal employees have a unique role to play in the fight against inflation because every dollar of their pay comes out of the Federal budget. It is especially important this year, as we seek a balanced, noninflationary budget, that Federal spending be held to a minimum.

I urge the Congress to support this action, not because it is politically expedient or the easy thing to do, but because it is in the best interest of all Americans. The alternative plan is attached.

RICHARD NIXON.

THE WHITE HOUSE, August 31, 1973.

## ANNUAL REPORT ON HAZARDOUS MATERIALS CONTROL—MESSAGE FROM THE PRESIDENT

The ACTING PRESIDENT pro tempore (Mr. HASKELL) laid before the Senate a message from the President of the United States, which, with the accompanying report, was referred to the Committee on Commerce. The message is as follows:

*To the Congress of the United States:*

I transmit herewith the Third Annual Report on Hazardous Materials Control as required by the Hazardous Materials Transportation Control Act of 1970, Public Law 91-458. This report has been prepared in accordance with Section 302 of the Act, and covers calendar year 1972.

RICHARD NIXON.

The WHITE HOUSE, September 5, 1973.

## ANNUAL REPORT ON SPECIAL INTERNATIONAL EXHIBITIONS—MESSAGE FROM THE PRESIDENT

The ACTING PRESIDENT pro tempore (Mr. HASKELL) laid before the Senate a message from the President of the United States, which, with the accompanying report, was referred to the Committee on Foreign Relations. The message is as follows:

*To the Congress of the United States:*

As required by law, I herewith transmit to the Congress the Tenth Annual Report on Special International Exhibitions conducted during fiscal year 1972 under the authority of the Mutual Educational and Cultural Exchange Act of 1961 (Public Law 87-256).

This report covers exhibitions produced by the U.S. Information Agency and presented abroad at international



fairs, expositions, and festivals, primarily in Eastern Europe and the Soviet Union. It also covers labor missions abroad, which are operated by the Department of Labor.

RICHARD NIXON.

The WHITE HOUSE, September 5, 1973.

**ANNUAL REPORT OF FEDERAL ACTIVITIES IN JUVENILE DELINQUENCY, YOUTH DEVELOPMENT, AND RELATED FIELDS—MESSAGE FROM THE PRESIDENT**

The ACTING PRESIDENT pro tempore (Mr. HASKELL) laid before the Senate a message from the President of the United States, which with the accompanying report, was referred to the Committee on the Judiciary. The message is as follows:

*To the Congress of the United States:*

As required by section 408 of the Juvenile Delinquency Prevention and Control Act of 1968, I am submitting a report of Federal activities in juvenile delinquency, youth development, and related fields.

This report covers the period from July 1, 1971 to June 30, 1972 and evaluates the efforts and activities of the Youth Development and Delinquency Prevention Administration which is responsible for the program. This agency is under the jurisdiction of the Social and Rehabilitation Service of the Department of Health, Education, and Welfare. The report also describes the activities of other Federal agencies and departments in the field of juvenile delinquency.

I commend it to your careful attention.

RICHARD NIXON.

The WHITE HOUSE, September 5, 1973.

**REPORT ON THE NATIONAL CANCER PROGRAM—MESSAGE FROM THE PRESIDENT**

The ACTING PRESIDENT pro tempore (Mr. HASKELL) laid before the Senate a message from the President of the United States, which, with the accompanying report, was referred to the Committee on Labor and Public Welfare. The message is as follows:

*To the Congress of the United States:*

I am pleased to transmit to you the reports required by Section 410A(b) and Section 410B(g) of the National Cancer Act of 1971. These documents consist of the annual report by the Director of the National Cancer Program, a plan for the Program during the next five years, and the report of the National Cancer Advisory Board. We are still considering the review of present administrative processes and will transmit that to the Congress when our review is completed.

These reports reflect a great deal of studious consideration by many dedicated citizens, both consultants to the National Cancer Program and officials of the National Cancer Institute. Understandably, the documents do not present the cancer problem and its needs in the larger context of all health requirements. Nonetheless, I am transmitting these documents without delay to share with Congress the information that has been

generated thus far, intending to place the proposals of the National Cancer Program in the context of overall health requirements as future budgets are submitted. I emphasize the fact that my proposed budget for the Cancer Program in fiscal year 1974, at \$500 million, is more than double the budget for these purposes in fiscal year 1971.

I am satisfied that the National Cancer Program begun this past year is proceeding very well. Both the spirit and the letter of the National Cancer Act of 1971 are being vigorously carried out. The leaders of the Program are innovative and dynamic. Funds are being used effectively and efficiently without raising public expectations that cannot be realized.

Of course, no one can control or predict when the objectives of the National Cancer Program will be attained. All the money and all the organization which the Federal Government can provide will not by themselves win this battle. Success ultimately depends upon the expertise and performance of the doctors, scientists, health professionals, and the volunteers who support them across America and around the world.

RICHARD NIXON.

The WHITE HOUSE, September 5, 1973.

**ANNUAL REPORT OF THE NATIONAL SCIENCE BOARD—MESSAGE FROM THE PRESIDENT**

The ACTING PRESIDENT pro tempore (Mr. HASKELL) laid before the Senate a message from the President of the United States which, with the accompanying report, was referred to the Committee on Labor and Public Welfare. The message is as follows:

*To the Congress of the United States:*

I am pleased to submit to the Congress the Fifth Annual Report of the National Science Board entitled "Science Indicators 1972." It has been prepared in accordance with Section 4(g) of the National Science Foundation Act, as amended by Public Law 90-407.

This report represents an initial effort by the National Science Board to develop indicators of the state of science and technology in this country. As the Board observes, however, present indicators principally reflect the application of resources to science and technology and not the return that the Nation receives from its considerable investment in research and development. I strongly support the intention of the National Science Board to develop better measures of the outputs from our Nation's scientific and technical enterprise in contributing to the progress and welfare of the United States and its citizens.

RICHARD NIXON.

The WHITE HOUSE, September 5, 1973.

**EXECUTIVE MESSAGES REFERRED**

As in executive session, the Acting President pro tempore (Mr. HASKELL) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations received today, see the end of Senate proceedings.)

**ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS TODAY**

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of the remarks of the distinguished Senator from Virginia (Mr. SCOTT) today there be a period for the transaction of routine morning business not to exceed 45 minutes, during which there will be a limitation of 5 minutes on all speeches by Senators.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

**EXECUTIVE SESSION—DISTRICT OF COLUMBIA DEVELOPMENT LAND AGENCY**

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nomination of Alfred P. Love.

There being no objection, the Senate proceeded to the consideration of executive business.

The ACTING PRESIDENT pro tempore. The nomination of Alfred P. Love on the Executive Calendar will be stated.

The second assistant legislative clerk read the nomination of Alfred P. Love, to be a member of the District of Columbia Redevelopment Land Agency for a term of 5 years, effective on and after March 4, 1973.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Commissioner of the District of Columbia be notified of the confirmation of this nomination.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

**LEGISLATIVE SESSION**

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

**COMMITTEE MEETINGS DURING SENATE SESSION**

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees may be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

**SETTING AN EXAMPLE**

Mr. SCOTT of Pennsylvania. Mr. President, I think it well to start the session by having nothing to say and, hopefully, that it may set an example. [Laughter.]

**ORDER OF BUSINESS**

The ACTING PRESIDENT pro tempore. Under the previous order, the dis-

tinguished Senator from Virginia (Mr. Scott) is now recognized for not to exceed 15 minutes.

#### NOMINATION OF RUSSELL E. TRAIN TO BE EPA ADMINISTRATOR

Mr. SCOTT of Virginia. Mr. President, our Public Works Committee had hearings on the nomination of Russell E. Train to be Administrator of the Environmental Protection Agency on August 1, and favorably reported the nomination. There was suggestion that the Senate should act upon this nomination prior to our August recess. Because of the importance of the duties of the Administrator, however, I requested the leadership to let the nomination go over until after Labor Day, and I appreciate their agreement to do so.

At this time, copies of the all-day hearing are available for the information of the Membership, and sufficient time has elapsed so that individual Senators can give independent consideration to Mr. Train's qualifications to be Administrator. Therefore, I do not intend to suggest any further extension or to further delay consideration of this nomination.

Russell Train appears to be a very fine gentleman, well educated, cultured, and a devoted public servant. There is no question in my mind as to his integrity and his ability to serve as Administrator of the Environmental Protection Agency.

Every reasonable person wants our environment to be clean. In my opinion, however, there should be a proper balance between efforts to have clean air and clean water, and to maintain the standard of living we all enjoy. My principal reservation is whether Mr. Train would put undue emphasis on cleaning up the environment to the detriment of our standard of living. We certainly do not want to close down our factories, to eliminate our automobiles, or to do other things which would greatly damage our living standard or the mode of behavior to which we have been accustomed.

A syndicated columnist, Holmes Alexander, commented on the need for a proper balance between our desire to clean up the environment and to maintain our standard of living in his article published in the Alexandria, Va., Gazette on August 11, 1973. I ask unanimous consent that the text be included at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SIGN OF THE TIMES: CONSERVATIONIST'S ORDEAL

(By Holmes Alexander)

WASHINGTON.—The Honorable Russell Train is a cultivated and learned gentleman, and maybe he's the right man for his new post as administrator of the Environmental Protection Agency—but maybe not.

Some five years ago when he was under secretary of the Interior Department, I called on Mr. Train to discuss what is now known as the Trans Alaska petroleum pipeline to bring scarce oil to the industrial heart of the United States. Reporters are supposed to do the listening at such interviews, but I advanced my opinion that mankind's needs

should be rated above "birds, bees, butterflies, caribou and tundra." Mr. Train responded with a well-informed and passionate declaration on the beauty and "fragility" of the Arctic environment. I confess I felt somewhat abashed at my philistine views.

But a lot of petroleum has flowed through our national machinery since then, and we've got a critical shortage. Indeed if the environmentalists obstruct industrial progress as successfully as they have the Alaskan pipeline, the famous American "standard of living" is due for decline and fall. This was the theme of Sens. Bill Scott, R-Va., and Clifford Hansen, R-Wyo., who fired warning shots across the bows of Mr. Train's nomination as El Supremo of Environmental Protection.

Scott made a skillful outline of the Train mentality by observing that the latter is self-styled in "Who's Who in America" as "conservationist." Considering that Mr. Train is a lawyer and former U.S. Tax Court judge, the Virginia senator thought the stress on "conservationist" raised a question "as to where this nominee's heart is; where his emphasis is." Is he apt to execute the environmental statutes with an eye to the flora and fauna and a blind spot for American employment and prosperity?

Cliff Hansen, an outdoorsman himself as rancher and former governor of a scenic and agricultural state, tuned in with very polite misgivings about Judge Train, "my good friend . . . a distinguished American." The Wyoming senator's doubts did not go so much to the person as to the cult.

He recalled an environmental conference at which "the general thrust of the comments . . . was that what was needed in America was the passage of some tough laws to get at the guys wearing the black hats, the industrialists, the manufacturers, the businessmen, capitalists." It would be a bad time for the United States if the administrator of environmental protection were to lead a vendetta against progress.

Mr. Train in his nomination hearing before the Senate Public Works Committee declined to give assurances to these critics. He said he would apply the laws. But the Clean Air Act of 1970, for one, is turning out to be Mandate Impossible as to automobile emissions and plant construction. The question with Mr. Train will be not so much application of the law as reasonable interpretation of it.

Meanwhile, it appears that one way the Russians are "catching up" with our industrial society is by doing what Mr. Train may be temperamentally incapable of doing. The specialist on Soviet affairs, Marshall Goldman, told the Joint Economic Committee that the USSR, after making a big bustle in 1972 over cleaning up the environment, decided in 1973 to forget about it.

Some news stories in the U.S., Goldman testified, "created the impression that the Russians were creating a somewhat weaker counterpart to the American Environmental Protection Agency. . . . A closer look at the 1973 decree indicates that no such coordinating agency was created." Grave doubt now exists on the validity of "the American-Soviet agreement on international cooperation in environmental protection."

We have here a situation not unlike the international arms race. We are expected to make sacrifices while our chief rival does not. Mr. Train is in a post which requires extraordinary wisdom, judgment—and skepticism.

Mr. SCOTT of Virginia. Mr. President, we have some so-called environmentalists who would destroy our lifestyle and turn us back to a primitive society; and the distinguished majority whip, the Senator from West Virginia (Mr. ROBERT C. BYRD), alluded to such a situation in his remarks at the Peabody Coal Co.,

annual meeting in St. Louis on August 10, when he said:

All of us would like to see Minnehaha living once again in the wigwam of Nokomis, by the shining Big-Sea-Water. But that wigwam is now a power plant, and Minnehaha—who used to live in the wigwam—is making two hundred dollars a week working in the office of the President of the power plant, while Hiawatha is working his tail off in the plant to keep up the payments on a split-level, a station wagon, and a boat. Like it or not, ours is an industrial society, and unless we are prepared to sacrifice our entire lifestyle, we will remain an industrial society. That being so, we must make concessions to its continuance. I am not saying for a moment that the environmentalists of America do not have a case. Of course they have. All our luxuries of living won't mean a thing if we can't breathe enough to enjoy them. But I am convinced that the preservation of clean air need not mean the destruction of industry. As a matter of fact, if we cannot practice the art of the possible in the interests of both, we do not really deserve either.

In my opinion, some of the regulations already promulgated or under consideration by the Environmental Protection Agency go too far. For example, the suggestion here in the Washington area that would impose a parking tax upon commuters; that would reduce the number of spaces for both on-street and off-street parking within the District of Columbia; and add a number of controls, is too drastic.

Rather than placing restrictions upon the commuter, it seems preferable to me to provide alternative methods of getting in and out of the city; and I have not found that proper consideration has been given to these alternatives. For example, the Metro rapid rail transit should materially reduce pollution and the number of automobiles coming into the District when it is completed; the completion of Interstate Highway I-66 in northern Virginia should reduce the amount of automobile pollution by making access more readily available. Parked cars do not pollute. It is the operation of automobiles, and the more they are stalled in traffic the more they pollute.

Mr. Train was asked on several occasions during the hearing whether he would give proper consideration to the maintenance of our standard of living, and in each instance he said that he would. Yet some of his other answers once again cloud this question.

There is no doubt in my mind that Congress acted too hastily in the enactment of the Clean Air Act. I am hopeful that we can amend the act to eliminate some of the provisions which the administrators of the law seem to believe leave them no alternative but to impose drastic restrictions upon citizens.

The general public is not unaware of the overaction by Congress, as illustrated by an editorial dated August 2, 1973, in the Richmond Times-Dispatch, entitled, "Another Look," which I ask unanimous consent to have printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

#### ANOTHER LOOK

The Federal Environmental Protection Agency has acquired a certain notoriety for making drastic proposals to cleanse the na-



tion's air in accordance with the Clean Air Act of 1970. The most infamous of those was a plan for gasoline rationing in the Los Angeles area designed to cut automobile use by 82—yes, eighty-two—per cent during the May-to-October smog season. Only somewhat less disreputable in some circles are EPA's brainstormers for reducing automobile pollution in the Washington, D.C. region: a \$2-a-day tax on commuter parking spaces, reduction of 21,800 on-street parking spaces, forced car-pooling, and the like.

The EPA deserves to hear criticism of schemes that appear wildly undemocratic and unnecessary, but some critics have overlooked one point. The EPA was given the duty, on the option, of restricting the emission of various pollutants into the air. After all, it was Congress—not the EPA—that enacted the detailed requirements of the Clean Air Act, despite warnings that some of the law's provisions were so strict and inflexible as to be totally unrealistic. But that was the time of Earth Day innocence and it is said that a stagnant air mass settled over Washington a few days before the congressmen were to vote in the summer of 1970, convincing some that absolutism was in order.

For example, the act flatly requires that, beginning with the model year 1975, automobile emissions of carbon monoxide and hydrocarbons must be 90 per cent below 1970 levels; and by the model year 1976, emissions of nitrogen oxides must be 90 per cent below those of model year 1971. The EPA administrator was given the authority to extend both of those deadlines by one year, and he has done so.

Therefore, whatever EPA's undoubted shortcomings, the basic problem goes to the legislative standards. In that connection, it was quite encouraging to read the other day that the Senate is preparing to order a re-evaluation of the Clean Air Act. The EPA's draconian proposals appear, in fact, to have played no small role in causing legislators to have some second thoughts about the value of extremism in the pursuit of environmental purity.

Air pollution posing a demonstrable menace to health definitely ought to be combated, but the assumptions of some purists that any emission under any condition constitutes a serious public threat have been too facile. Potential pollutants have to be considered individually rather than all of a piece. When the Clean Air law was passed, nitrogen oxides were routinely presumed to be a major hazard, but subsequent research indicates they probably aren't, as even the EPA has admitted. As part of its new look at the standards, the Senate is expected to authorize a \$300,000 study by the National Academy of Sciences to review the health angle, and that step should be welcomed.

Additionally, what is environmentally desirable has to be weighed against what is feasible within the existing economic system. The fact cannot be dismissed lightly that one of every seven workers in the United States owes his job, directly or indirectly, to the automotive industry. Harsh controls disrupting this single most significant provider of employment could throw the economy as a whole into chaos.

Finally, energy supply has emerged as a major concern since the passage of the Clean Air Act. It is evident that Detroit's technological approach to meeting air-pollution deadlines is one contributing factor to the increasing consumption of finite stocks of gasoline. Detroit may be criticized fairly for failing to get on the market alternative engines, such as Japanese and German automakers have done with their stratified charge and rotary engines, that both reduce pollution and preserve fuel economy. However, there is a problem of adapting a radically different approach in a short time to the huge American market, while under the gun of government deadlines. A more flexible en-

vironmental law, combined with continuing pressures from consumers, might give domestic automakers the leeway and the incentive to turn out cars that don't foul the air or guzzle fuel excessively.

Mr. SCOTT of Virginia. It does not seem reasonable, Mr. President, to add to the burdens of our Chief Executive by delaying consideration of this nomination further. I would hope, however, that the President, as head of our executive department of Government, would urge the Administrator of the Environmental Protection Agency and all other subordinates in the executive branch to be reasonable in their approach to cleaning up the environment and not jeopardize our standard of living or our life style in the process.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. SCOTT of Virginia. I am glad to yield to the distinguished chairman of the Committee on Public Works.

Mr. RANDOLPH. Mr. President, I wish the RECORD to reflect that in the consideration by the Committee on Public Works of the nomination of Russell Train, no member of our group was more diligent in questioning Mr. Train than the able Senator from Virginia (Mr. SCOTT). I, as chairman of that committee, and all the members of the committee, regardless of party affiliation, appreciated the careful attention given by the Senator from Virginia to the subject of the nominee's jurisdiction at a very important time in the history of the United States, when the problems of energy and the environment—in fact, the whole scope of our society—are very much on the public mind.

Mr. SCOTT of Virginia. I thank the distinguished chairman of the Committee on Public Works.

#### WATERGATE AND THE BUSINESS OF THE NATION

Mr. SCOTT of Virginia. Mr. President, let me devote the remainder of my time to a concern about permitting the President to do his job. Senators will recall that in his address to the Nation some weeks ago, President Nixon indicated that it was time for the Watergate matter be turned over to the courts, and for the rest of the Government, including Congress, to get on with the urgent business of the Nation.

I find from those with whom I have talked that the people of Virginia agree with this statement. In fact, people from other countries have commented that the image of the United States is being marred by this continued self-abuse. The Richmond Times-Dispatch on August 26, made a fine analysis of this situation in its editorial entitled, "Anything Else," and I ask unanimous consent to have this editorial printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

#### ANYTHING ELSE

"If it weren't Watergate, anything else, in order to keep the President from doing his job."

With that remark, made during his press conference last Wednesday, President Nixon succinctly explained much of the sound and

fury surrounding Watergate. There seems to be little doubt that many of those who are screaming the loudest and the most persistently about Watergate are motivated not by profound concern about the political scandals of 1972 but by a determination to prevent Richard Nixon from succeeding as President of the United States.

Public opinion polls show that most Americans deplore Watergate, but the polls also suggest that most Americans are unwilling to destroy the President because of Watergate. No, the most uncompromising, most vitriolic complaints about Watergate are coming from the President's confirmed critics, people who detest his philosophy of government, his programs and his policies. And these critics—who include some of the nation's most liberal journalists, most liberal congressmen and most liberal scholars—are in a position to command public attention and to influence public opinion. Obviously they hope to keep Watergate at the very top of the list of the nation's concerns until they have thoroughly discredited Mr. Nixon and proved that he cannot be trusted to govern the nation fairly and effectively. Their ultimate objective, of course, is to halt the retreat from statism that the President has initiated.

Their strategy is simple. When the President yields an inch, denounce him for not yielding a mile. Whenever he utters a single defensive word on the Watergate issue, call him a liar. Whenever he initiates or promises reforms designed to prevent future Watergates, sneer. And keep hitting him with issues unrelated to Watergate—expenditures on his San Clemente home, the Cambodian bombing and so forth.

Look at the record. At the very beginning of the Watergate probe, his critics insisted that the President could demonstrate his willingness to cooperate in the search for truth by permitting his top aides to testify before the Senate committee and by speaking out publicly on Watergate. So Mr. Nixon allowed his aides to go to the committee, and only one—former White House counsel John W. Dean III—sought to implicate him. All the others either insisted that the President had not been involved in the scandals or swore that they had no knowledge that he had been involved. Moreover, the President himself issued statements asserting his innocence and explaining his own efforts to discover the truth about Watergate.

His critics sneered. They didn't believe the President or those aides who defended him. And when the critics learned that Mr. Nixon had taped his White House conversations, including some concerning Watergate, they roared that only by releasing the tapes and by submitting to interrogation himself could the President prove his innocence. Suddenly, the sworn testimony of all the witnesses seemed to become meaningless. All except Dean's; his testimony the critics liked.

For eminently sound reasons, the President has declined to release the tapes. He is, for one thing, entitled to confidentiality in his contacts with his aides and with others who confer with him. For another, the tapes themselves could be misleading and the subject to varying interpretation, and it is ludicrous to contend that they could, by themselves, resolve all questions about Watergate.

But the President did submit to questioning by some of the most persistent interrogators a public official can face—the Washington press corps. Facing reporters last Wednesday, he convincingly reasserted his innocence, explained in considerable detail how he had sought the truth about Watergate from his own aides, how some of his highest advisers—including Dean—had misled him or even lied to him. Dean's accusations the President specifically and emphatically contradicted.

And how have the critics reacted? They have sneered. The *New York Times* and the *Washington Post* did not like either what Mr. Nixon said at the press conference or how

he said it. And from North Carolina Sen. Sam J. Ervin Jr., chairman of that "impartial" Senate committee investigating Watergate, came the most revealing reaction of all. Declaring that he was not willing to dismiss Dean's accusations against the President "out of hand," Ervin proceeded to dismiss Mr. Nixon's protestations of innocence out of hand. He would not believe the President, Ervin said, until he had heard the President's tapes.

So the critics intend to continue their carping. From Mr. Nixon they have elicited not only repeated assertions of innocence but also condemnation of Watergate, apologies for Watergate, acceptance of all blame for conditions that contributed to Watergate and promises of reforms to prevent future Watergate. But the critics are unsatisfied, and not unless they can destroy the President will they be satisfied.

But the American people can, and probably will, thwart them. Public reaction to Mr. Nixon's press conference has been generally favorable, indicating a growing weariness of Watergate and a desire to move on to other matters. If the President continues to perform as admirably as he performed Wednesday, public opinion is likely to turn against the critics; and their efforts to keep "the President from doing his job" will fail.

Mr. SCOTT of Virginia. Some may think that the continued criticism of the President reflects only on the Republican Party, but I am fearful that our own committee may generate an atmosphere within which the average citizen may come to regard all public officials as crooked. This was illustrated in a recent visit to North Carolina, where I picked up an elderly gentleman hitchhiking on a country road. This is a true story. He saw my Senate license tag and asked me about Watergate. I replied that one of his own Senators was chairman of the committee, and he answered:

He's not my Senator; he's the one that took the money.

Now, Mr. President, this appears to be an irrational statement regarding our distinguished colleague the senior Senator from North Carolina (Mr. ERVIN), and has no relationship to fact. It does tend to illustrate the irrational conclusions which may be drawn by individual citizens when they become emotionally disturbed by the overemphasis upon a situation which involves only a few people. Therefore, Mr. President, it is my intention to support and cosponsor the proposed resolution by the junior Senator from Kansas (Mr. DOLE), which would require further hearings of the Select Committee on Campaign Activities to be conducted in executive session.

The media has commented considerably about alleged improper activities and even criminal activity by the Vice President even though no charges of any kind have been made against him by any law enforcement agency. It is somewhat akin to the French Revolution, when there was indiscriminate use of the guillotine to behead French citizens—the difference being that it is now character assassination. The Newport News Daily Press on August 10 published an editorial entitled "Presumption of Innocence," decrying the effort to try the Vice President through press leaks in the court of public opinion and suggesting that such procedure does violence to our presumption of innocence until one is proven guilty of wrongdoing. I ask unanimous

consent to have the editorial printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

#### PRESUMPTION OF INNOCENCE

Revelation that Vice President Agnew is being investigated by federal officials looking into allegations of kickbacks and other irregularities in award of construction contracts in Maryland came as a new blow to a Watergate-beleaguered Nixon administration.

Unfortunately in this context it is all too likely for people to overlook the basic concept that in our country anyone is innocent unless proven guilty, and to overlook the point that no charges have actually been levied against Mr. Agnew. Moreover, if he were not such a public figure his name would not even have been brought up at such a time since a grand jury inquiry normally does not reach that stage of revelation until or unless an indictment has been handed down.

However, Mr. Agnew's position is such that the disclosure was inevitable, however unfair, and indeed a matter of consuming public concern. That the Vice President came quickly and emphatically to his own defense, stating his innocence and answering questions straightforwardly in a press conference, however, should do much to put the shocking reports in proper perspective.

Mr. Agnew's contention is that, since the allegations seem to have stemmed from someone who is deeply in trouble with the law, it looks very much like an attempt to clear skirts at his expense and it would be foolish not to take such a contention strongly into account. But primarily his answer, give to the American people, was that he has nothing to hide, does not expect to be indicted and has full confidence in our criminal justice system. He said it moreover in a way that did nothing to contradict his reputation as a man of character and integrity. Let the lawyers take it from there rather than trying him in the court of public opinion.

Mr. SCOTT of Virginia. Mr. President, we have many serious matters confronting the country: inflation, energy crisis, national defense, our relationship with foreign countries. All these matters require the thoughtful consideration of the executive and legislative branches of our Government. Only a masochist would want to continue the present widespread self-criticism to the detriment of our country, its institutions and its standard of living. So I believe we should heed the President's request that all of us get on with the urgent business of the Nation and not tie the hands of the Chief Executive in the conduct of the Nation's affairs through repetition of innuendo and hearsay. My small contribution today is to withdraw objection to the immediate consideration of the President's nominee to be Administrator of the Environmental Protection Agency.

#### TRANSACTION OF ROUTINE MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order there will now be a period for the transaction of routine morning business for not to exceed 45 minutes, with statements limited therein to 5 minutes.

#### QUORUM CALL

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### SENATOR STENNIS RETURNS

(At this point, Senator JOHN C. STENNIS, of Mississippi, escorted by the President pro tempore (Mr. EASTLAND) entered the Chamber.)

[Applause, Senators rising.]

Mr. MANSFIELD. Mr. President, this is a happy day for the Senate, because one of our colleagues has returned to us after months of travail and near tragedy.

When the shocking event occurred which affected our distinguished colleague, the Senator from Mississippi (Mr. STENNIS), earlier this year, we were all perturbed. But today we are all thankful that this man, who has contributed so much to his State and to the Nation, is back with us once again, hale and hearty—a little less in weight, but I am sure that he appreciates that factor.

It is, I must say, a miracle, in view of the events which happened, that Senator STENNIS is with us today. Because of that miracle, we thank the Lord, and we are delighted to have him back with us.

Mr. SCOTT of Pennsylvania. Mr. President, I join with every Member of the Senate in rejoicing that the beloved and distinguished Senator from Mississippi (Mr. STENNIS) has returned to this Chamber after a very difficult siege and has returned in good spirits with his health substantially restored. We have missed him in every way that friends can miss a friend. We have missed his judgment, his intelligence, his wisdom, his guidance, his compassion, his understanding of the problems of each one of us, his leadership, and we have missed the opportunity to show him the respect in which we hold him.

I am somewhat in mind of what Cicero said in praising Milo, that he is a man both very brave in public life and very strong in the causes which he has undertaken. I do not think that even Cicero could have more aptly made a statement those many years ago that could apply so closely to our friend and colleague.

I join my colleagues in saying, Welcome back home where you belong, Senator STENNIS.

Mr. CURTIS. Mr. President, I wish to join with other Senators in expressing my happiness that Senator STENNIS is back on the Senate floor. His absence brought to mind, I am sure for all of us, the great contribution that he has continuously made in this body for the benefit of our country. We have all observed how for weeks at a time he would remain on this floor in charge of legislation vital to the security and the defense of this country. So in welcoming him back we take this occasion to express our appreciation for the great and wonderful work he has always rendered to our country.



Mr. THURMOND. Mr. President, it is, indeed, a pleasure for me to join others in welcoming the distinguished Senator from Mississippi back to the floor of the Senate.

We have missed him in the Committee on Armed Services. He is one of the most able chairman this committee has ever had. We have missed him on the Defense Appropriations Committee. We have missed him each Wednesday morning at the prayer breakfast group. We have missed him at every turn.

No man, in my opinion, in this Senate is held in higher esteem than the great Senator from Mississippi. We, indeed, are glad to have him back with us.

Mr. HUMPHREY. Mr. President, I wish to join with my colleagues in saying to the great and good Senator from Mississippi, welcome back home.

During all of my days in the Senate and other days in public life, I have been privileged to enjoy the friendship of the Senator from Mississippi (Mr. STENNIS). We know him as a man of great courage, good character, a man who is eminently fair, a man of tremendous ability in this Chamber; but I think of him more as my friend JOHN. Many is the time we have visited and many is the time I have worried about him and sent him my good wishes and prayers.

I know I speak for those people on the headwaters, the upper waters of Mississippi: We wish you well.

Mr. YOUNG. Mr. President, it is, indeed, a happy day to have the distinguished Senator from Mississippi back with us again. It is an act of divine providence, an act of God, that he is with us today almost fully recovered.

I do not know another Senator in my time who has been more highly respected and who has been a greater leader than the Senator from Mississippi. Everyone respects his views. When he rises in the Senate to speak Senators listen to him. He has had a great impact on all that has transpired in the Senate in his time. It is fortunate today for us that he is back with us.

Mr. JACKSON. Mr. President, the Senate is whole again.

Our distinguished friend from Mississippi has brought to the Senate, from the day he first arrived, a legislative-judicial temperament, something that this body always needs. Here is a man of honor, integrity, decency, and fairness. Whatever the issue before this body, one can always be sure that what Senator STENNIS has to say comes from his heart and with a deep sense of respect for the rights of others.

I shall never forget the quality of his leadership and his memorable words during that terrible period we went through in 1954, in the censure situation, when he spoke about the honor and decency of this body. What he had to say—in the course of the very difficult role he was called on to play—made a lasting impact on this body and this Nation.

I know of no finer tribute to pay any man than to say that he is a man of honor, integrity, decency, and fairness.

Mr. President, the Senate is whole again with his presence.

Mr. SYMINGTON. Mr. President, I join my colleagues in welcoming back to

the Senate one of the truly great statesmen of our time. It has been my privilege to sit next to JOHN STENNIS in the Committee on Armed Services for 21 years. At all times his superb record has been distinguished by character, by courage, and by an all out dedication to his country.

The distinguished majority leader mentioned it was a miracle that he is back. I am sure that technically speaking that is true, but we all know also that he is here because of his great will and determination to continue to serve his country.

I am very glad that he honors the Senate again by being with us this morning and extend all congratulations for his wonderful recovery to him and his gracious wife, who has had so much to do with his being with us today.

Mr. TOWER. Mr. President, I should like to say that I think we owe the Senator from Missouri (Mr. SYMINGTON) a great debt for the way he stepped into the breach as acting chairman of the Committee on Armed Services and for the yeomanlike way he did so in the absence of our distinguished friend, Senator STENNIS. I know he will understand that I take nothing from him and his superb leadership when I say we are overjoyed that JOHN STENNIS is back with us.

In the difficult days ahead, as we consider military procurement, his great mind and his great spirit are going to have a tremendous impact and influence over our deliberations, our debate, and our ultimate conclusions. It is essential that he be here.

I think that we must all raise thanks to a merciful God that he has been spared to come back with us.

Mr. LONG. Mr. President, the prayers of every Member of this body and, indeed, the prayers of almost everyone in this country have been answered with the return to this body of our colleague, the junior Senator from Mississippi (Mr. STENNIS).

I, among others, have had the privilege of following his leadership many times in the past and I look forward to following him many times again. He has been the exemplification of what anyone could expect of a Member of this body or of a Member of Congress. We are gratified to have him with us.

Mr. EASTLAND. Mr. President, I have been a Member of the Senate for approximately 31 years. I have seen great Senators come and go. None of them has excelled my colleague, Senator JOHN STENNIS. He is one of the greatest. I think he is one of the greatest men who has ever sat in this body. He is a man of unimpeachable integrity. He is very conscientious. He works hard, carrying the burdens of State; and the Senate is much stronger because he is back.

JOHN, we are all glad to have you back.

Mr. MCINTYRE. Mr. President, I want to share in all the wonderful sentiments being spoken here on the floor of the Senate on the return of my chairman of the Armed Services Committee, a Member of this great body who has been a great teacher, JOHN STENNIS. The high regard and esteem for this Senator rubs off on all of us who are fortunate enough

to contact him. Because of our close association on the Armed Services Committee, I cannot think of any man in all my life that I have known for whom I have come to have a greater feeling of respect for his judicial temperament, fairness, and great leadership in these important matters.

I, for one, am very happy that, through the skill of the physicians at Walter Reed Hospital and through divine providence, it is possible to have JOHN STENNIS back among us.

Mr. McCLELLAN. Mr. President, I wish to associate myself with all of the commendatory remarks and expressions of gratitude and appreciation that my colleagues have expressed and that will be expressed here this afternoon. I join with them in welcoming back one of the great among us, one whose absence has been compelled, one who has been disabled for several months by reason of a tragedy, the criminal act of a would-be assassin.

During the period of his absence, JOHN STENNIS has struggled for life, to regain his health so that he could come back and be with us again. In this ordeal JOHN STENNIS has stood fast and he has suffered long. In his long suffering and in his struggle for life he has been strong and he has been of good cheer and he has been of great courage. He has been neither afraid nor dismayed.

With his colleagues and his friends, all good Americans everywhere are deeply grateful, and we rejoice in our hearts today that he has been restored unto us and is with us again today. As the distinguished Senator from Washington has just said, the Senate has been made whole again.

It has been said that gratitude can be defined as that feeling which one would experience if everything he had were taken from him and then suddenly restored unto him. We have that feeling of gratitude today. He was taken from us for a time, one of the great among us, but God, in his infinite wisdom and in his dispensation, has spared his life and he is restored to us today, where he can continue the great service that he has given to his country, at a time in the history of our Nation when the country needs him, when he can be of further great service to our Nation.

Mr. HANSEN. Mr. President, today I am certain that every Member of this body has within him a welling up of strong emotions. There are Members of this body senior to me who could speak from long experience about Senator STENNIS better than I can. I rise fully conscious of the esteem and respect every Senator feels for the Senator from Mississippi. JOHN STENNIS epitomizes the best of what is one of the great institutions of our country, the U.S. Senate.

In the days we faced without Senator STENNIS here, there was reflected in my mail and in the visits I had with people a misgiving, a great concern about our country, about the temporary loss of leadership that his being absented from this body meant in terms of the military posture we might have, in terms of the kind of values that we would represent as Members of this institution to the people of the United States.

No one has a greater regard for

honesty, for integrity, for ethical conduct and appreciation of enduring moral values than the distinguished Senator from Mississippi. It has not been my pleasure to know him for as long as many of you have, but I can say that long before I came here, I heard from others of this body about JOHN STENNIS.

I just want to observe that, in addition to his dedicated life, his great physical strength, I share the feeling that is held by others here—that his being returned to us today is a reflection in part of the prayers of Americans everywhere that were joined with those of Members of this body, asking God to save this great man for this Republic in order that this Nation could have the benefit of his inspired leadership.

Mr. HRUSKA. Mr. President, about 2 weeks ago, formal hearings were held in the circuit court of appeals courtroom in the Federal Building in Jackson, Miss., having to do with the possible restructuring of the circuit courts of appeal. Gathered there in the hearing room were many lawyers, journalists, reporters, men and women who were interested in the subject at hand. Before and after the hearings, as well as during the luncheon sponsored by the Mississippi State Bar Association, honoring members of the Commission, of which I am a member, there were many comments on the item which had appeared in the press only a day or two before announcing that Senator STENNIS would return to his work in the Senate on September 5. Numerous were the narratives and descriptions of the Senator's fine attributes, many of which were referred to already here today.

The respect, admiration, and affection that the people of Mississippi hold for this great Senator were very obvious. It was clear that they followed with their prayers and their intense interest, the critical days and the long period of recovery which ensued. Frequent mention was heard of their high estimate of the Senator's courage, tenacity, and stamina. Their rejoicing was as great and intense as that expressed by his colleagues who have already spoken today and who have served only officially here with him for so many years. The feeling of rejoicing was expressed in Jackson that today's event would come soon. We have it at hand today.

So it is with gratitude and happiness, that I subscribe to the many tributes paid him this morning. Welcome back, John, a thousand times welcome.

Mr. SPARKMAN. Mr. President, I certainly join my colleagues in all the good things that have been said, and in which all of us share, in the return to the Senate of our good friend, my neighbor in the adjoining State, Senator STENNIS and I have served together almost the entire period of our service here. I believe he came to the Senate 1 year after I came.

It is a joy for me to have witnessed this miracle. JOHN STENNIS believes in miracles. He has every right to do so. He was talking to me one day, and he told me some of the things that had happened during this great tragedy of his life.

He told me first of all that he knew

he had to get up those steps and get inside his door or he would not live. The ambulance came to get him and when they put him in the ambulance, the driver was directed to take him to a certain hospital. JOHN was conscious enough to say, "Take me to Walter Reed."

When they got to Walter Reed, another miraculous happening took place. A team of surgeons, all men of great experience, were gathered at a conference of some kind. They were able to take care of his case immediately. JOHN STENNIS told me that he felt very strongly that had events not happened that way, he probably would not be able to be with us today.

I am happy to join with all of my colleagues in saying that we are all delighted to join in welcoming JOHN STENNIS back to the Senate again.

Mr. MAGNUSON. Mr. President, first I want to associate myself with the things that have been said today.

I also want to say to JOHN that I followed his recovery. I missed his legislative expertise. However, most of all, I missed his presence here as a strong, personal friend.

Mr. FANNIN. Mr. President, I am very proud to join with my colleagues in welcoming back to the Senate and in paying tribute to one of the greatest Americans of today. Some may equal him, but none can excel the tremendous performances of JOHN STENNIS as a Member of the U.S. Senate and as a leader of our prayer group. He has an excellent standard of conduct, as has been witnessed by all Americans.

It seems to me that the prayers of millions of Americans have been answered by his return to the Senate Chamber today.

I can well remember how humble JOHN STENNIS was when talking to freshmen Senators as they first attended a prayer breakfast. His leadership has been an inspiration to all who have participated in these prayer breakfasts. In my years in the Senate I have treasured his friendship and I have benefited from his wise counsel.

JOHN STENNIS has been a symbol of righteousness and of courage. Few men have endured what he has during this period of time. He comes back to us recognized as a leader.

I am very glad to have this opportunity to join with my colleagues in paying tribute to him today.

Mr. ALLEN. Mr. President, this is a great day for our country and for the U.S. Senate. In joining my colleagues in extending a heartfelt "welcome back" to our esteemed friend—the distinguished Senator from Mississippi (Mr. STENNIS), I know with certainty that I speak for all Alabamians.

Following his tragic brush with death, an outpouring of letters, telegrams, editorials, and personal messages from Alabamians of all walks of life expressed prayerful concern for his recovery. These expressions and many other manifestations of concern from throughout the Nation demonstrated that JOHN C. STENNIS has not only earned an enviable place in the affections of the people of our Nation but, more than that, the mere contemplation of loss of his services at

this critical juncture in history is a matter of grave national concern—and rightly so—for he is one of the greatest Senators in the history of our Nation, ranking with Clay, Calhoun, and Webster.

As chairman of the important Senate Armed Services Committee he has been a steady, strong, and reliable guiding force in evaluating our worldwide military commitments and, equally as important, a pillar of strength in helping insure a capability to fulfill those commitments. As chairman of the Preparedness Investigating Subcommittee of the Armed Services Committee and as vice chairman of the Senate Appropriations Committee and ranking member of its Subcommittee on Defense Appropriations, he has, as have few others in our history, occupied a position of grave responsibility for the security of our Nation and, ultimately, for the free world. So, the national concern for his recovery was amply justified—as is the present rejoicing at his return to the Nation's councils. For, in truth, his demonstrated vision, the confidence in his judgments, and the many accomplishments of his dedicated leadership in positions of great responsibility have added much deserved luster to a career already crowned with success. It is inevitable that his many achievements should reflect credit on the Senate and on our Nation. His character, integrity, intelligence, wisdom, experience, kindness, graciousness, and industriousness, are priceless assets which the Senate can ill afford to lose. So, we have cause to rejoice.

In a different context, his return from a perilous journey brings to mind the comforting words of the 23d Psalm:

Yea, though I walk through the valley of the shadow of death, I will fear no evil: for Thou art with me; Thy rod and Thy staff they comfort me.

So, while all of us extend a comradely welcome, I cannot but confess that these mere words are grossly inadequate to express my deeply personal and profound sense of gratitude to Divine Providence that his life and talents have been spared for the benefit of our Nation and future generations.

Mr. President, the American people can sleep better tonight knowing that our colleague, the strong right arm of the Senate Committee on Armed Services and one of the Nation's staunchest advocates of a strong national defense, is back in full harness. So, I say from the bottom of my heart, welcome back dear friend and mentor.

Mr. CHURCH. Mr. President, this is indeed a very happy moment for all of us in the Senate.

I want, first of all, to associate myself with all the other tributes that have been paid to Senator STENNIS, as a great Senator and statesman.

I would then add a personal note. If I have not already thanked him before, I want to thank him now for the courtesy he has always shown to me through the years, as he has to all other Members of this body. I also want to thank him for the unfailing generosity he has displayed on those infrequent occasions when we have found ourselves on opposite sides of an argument. I have so ap-



preciated his courtesy and generosity.

I want him to know that, when we were all praying for his recovery in the dark hours following the vicious assault upon him, a dear friend of his told me, "JOHN STENNIS will make it because he is not yet prepared to leave the Senate." As much as we appreciate the indispensable skill of the doctors, we all know in our hearts that it was his strength of physique, strength of will and strength of character that brought him through.

This is indeed a day for rejoicing.

I know that Senator STENNIS would also like to learn that, during the period of great anxiety over his life, another friend of ours, a former colleague, Senator Jordan of Idaho, spoke to me of his deep concern and profound respect for the Senator from Mississippi. I am certain that Lew Jordan would want to join with me in this heartfelt welcome back.

Mr. BENTSEN. Mr. President, I take a great deal of pleasure and pride in being a Member of this great body. The reasons for that feeling are nowhere better exemplified than in the code of conduct of the Senator from Mississippi. He is a tough proponent of legislation, and he is a fair and informed opponent when he thinks the legislative course is not in the best interests of this country.

Mr. President, we have in this body a number of Republican Senators and a number of Democratic Senators. And then we have some U.S. Senators. JOHN STENNIS is a U.S. Senator. He has always done what he thought was best for his country.

If his code of conduct were followed by all politicians and by all public officials today, we would not have the shaken confidence of the people in the institutions of government. JOHN STENNIS is a Senator's Senator.

Mr. CASE. Mr. President, when you have something you want to say and really cannot say, the temptation is to use too many words. Everything that has been said here today, though, has been said with very great restraint. Some of our most eloquent and even verbose speakers have limited themselves to the bare bones of the subject, and in this exercise of restraint there is reflected one of the great qualities of our friend from Mississippi. Restraint, self-discipline, strength, courage, and good commonsense are just a few of the qualities that have endeared him to us and have made us rely so heavily upon him.

What the country will see in the Senate's action right now is a very honest reflection of relief that one of the elements of strength on which we have come to rely so heavily is now restored to us. On personal grounds, our hearts go out to him and to his lovely lady, who to so great an extent has been responsible for his recovery and strengthening him for the unspeakable battle that he has gone through. Our hearts, as I say, go out to both as we welcome him back.

Mr. MUSKIE. Mr. President, I am sure it is clear to JOHN STENNIS by now why we respect him and love him. I am sure I cannot effectively add to the points that have already been made.

We know him to be a man of conviction, of character, and of conscience. More than that, we know him to be our friend; and above all, as the distin-

guished Senator from Texas has pointed out, we know him to be a preeminent example of what a Senator ought to be in terms of integrity, a sense of direction, and dedication to the country.

JOHN, I join in this warm welcome to you.

#### APATHY, ATROPHY, AND ANGER

Mr. HARTKE. Mr. President, I cannot let this occasion pass without extending my warmest felicitations to my friend and colleague Senator STENNIS. When a blow was struck at JOHN STENNIS, I do believe it wounded this body.

As is everyone else, I am very grateful for the life of the Senator from Mississippi. We are prayerfully thankful that he has been spared. His return, I suppose, in large measure is due to his own courage and indomitable fortitude.

In this case our gratitude for the Senator's return among us reminds us to consider the general concern that springs to this event. The leadership of JOHN STENNIS is needed now as it was never needed before, for I fear there is great apathy in the land. I find a lack of concern for the well-springs of our country among the people. I fear that this apathy, so noted by all of us and by commentators and pollsters, may actually be turning to atrophy, an actual inability to function.

Government, law, and civil procedures, like arms and legs, atrophy in disuse. Courage and action in the face of adversity develop new abilities; and we have seen that in the case of Senator STENNIS. I fear that failure to act on the large issues of the day is leading to atrophy of our most precious institutions and practices, and our concern for our fellow countrymen; which we have seen demonstrated too often here on the Senate floor.

Finally, I fear not only apathy and national atrophy but an approaching anger of deep-seated, national proportions. Middle class America is troubled. I fear the three A's of the near future: apathy, atrophy and anger.

I suppose the greatest tribute we can offer Senator STENNIS is to get on with the Nation's business in the same spirit in which the Senator from Mississippi dealt so courageously with near catastrophe. He has turned tragedy into a glorious, personal triumph. I bless him for it, and I hope the Nation and the Senate may heed his example.

We must, of course, remember also that Mrs. Stennis was a great source of comfort and inspiration to her husband during the time of his suffering.

Mr. HARRY F. BYRD, JR. Mr. President, to a great Senator, to a great American, and to a wonderful friend, I say "welcome back." The Senate has greatly missed Senator JOHN C. STENNIS, but no one has missed him more than has the Senator from Virginia. This is indeed a happy day for the Senate, now that JOHN C. STENNIS has returned.

Mr. TALMADGE. Mr. President, I desire to join with my colleagues on both sides of the aisle in welcoming back to the Senate floor the distinguished and able Senator from Mississippi, JOHN C. STENNIS.

It has been my privilege to know JOHN STENNIS well as a personal friend now for some 16½ years. Shortly after I came to

the Senate, his was one of the first friendships that I made. We have spent many pleasant days hunting quail and fishing. As all you outdoorsmen know, that is really the way to get to know him individually. One could get to know him better and more intimately under those circumstances than perhaps in any other way.

In my opinion, JOHN STENNIS is one of the great Americans of all time. He is certainly one of the great Americans of our era. He has served his State in an outstanding manner. He has been a credit to the U.S. Senate, to the Congress, and to the country, and I am proud of the fact that his determination and his rugged physical constitution have enabled him to overcome severe circumstances and return to us able in mind, body, and spirit.

Welcome back, JOHN.

Mr. MONDALE. Mr. President, I am delighted to join my colleagues today and be a part of this wonderful event as JOHN STENNIS returns to the Senate. As was true of my colleagues, and I think all Americans, I was shocked, sickened, and appalled by the news that evening that JOHN STENNIS' life was in danger as a result of a brutal gun attack. As we have had to do far too often in recent history, we wondered whether yet another great American public leader was going to be taken from us by another sickening example of violence.

Thank God, in this case it was not true, and today we have JOHN STENNIS back with us in full physical strength, ready to do his work for our country.

During those few brief days, I had reason, as did my colleagues, to ask what it was about JOHN that we would miss so much if that tragedy should occur. I think it was, above all, his spiritual strength, the dignity and seriousness with which he conducts his public business, his love of country, and the ability with which he discharges that noble purpose.

I am so pleased to be here with my colleagues today to welcome back a great American, JOHN STENNIS.

Mr. HUGHES. Mr. President and Members of the Senate, I am very much pleased to have this opportunity briefly to express my own heartfelt emotions at the return of the distinguished Senator from Mississippi (Mr. STENNIS).

When I first came to the Senate, 4½ years ago, I sensed that JOHN STENNIS would be a natural opponent, a man with whom I would seldom agree and probably would have very little in common with, based on his philosophy, the region of the country from which he came, and many other things.

One of the first invitations that I received was an invitation from the Senator from Mississippi to attend the Fellowship Breakfast every Wednesday morning in the Vandenberg Room. The personal strength and faith of this great man from Mississippi became apparent to me over the months, and with this sort of relationship, my opinions and understandings of JOHN STENNIS gradually mellowed and gradually changed. I now understand the basis of his philosophy, the depth of his feeling, the great love he has for his country, his love for his fellow man—his love of all humanity, in a way

that I could never have understood before, had I not been privileged to attend the Fellowship Breakfasts each week.

As time passed—2 years went by—I applied for and was accepted as a member of the Armed Services Committee. In that capacity I began a relationship with JOHN STENNIS on a different basis than I had ever known before, my own philosophical approach to the needs of national defense being much different than his. But working as what would be a natural philosophical minority on that committee, I came into a relationship of fair play, fairness, and decency that no man new to the committee could expect to be any different.

Any time I asked for a discussion with the chairman of the committee, it was granted. Following even the morning of the day he was struck down, when we met in the Senate dining room at breakfast accidentally and had a discussion at that time, and events led to the disclosure of the bombings in Cambodia. The chairman, as he had in the Lavelle matter, and in this instance, assured me at that time that the matter would be taken up when we could get time to look into it and establish a relationship as to what it was and whether it merited a hearing.

That evening, when I arrived at home, I heard the news on the radio that JOHN STENNIS had been shot down in front of his home. Immediately, I called the Fellowship House, because I knew a meeting was going on regarding the National Prayer Breakfast, and asked them for prayers for the distinguished chairman, not knowing then what his condition was.

I believe that because of the prayers that welled up from this Nation and all around the world, the Members of this body, loving him as we do, understanding the depth of his own faith, and realizing the bond he felt for men here and around the world, God responded to those prayers.

In my opinion, JOHN STENNIS, with his own desire to live, his own personal convictions, the faith of his spirit, a benefactor of the principles of intercession, and because of the work of people on his behalf, in my opinion, the Divine Father heard and responded to my bond of affection for the chairman as it developed over the weeks, the months, and the years—and as it continues to this day.

I am deeply happy to be able to be on the floor of the Senate today when you return, JOHN, and when you come back to full service in this body.

Mr. ROBERT C. BYRD. Mr. President, in his Moral Essays, Seneca wrote "Fire is the test of gold; adversity, of strong men."

This philosophy has never been better proved than by the most welcome presence on the floor of the Senate today of the Senator from Mississippi, Mr. STENNIS.

The shock and revulsion that were felt by his colleagues, and by millions of Americans when JOHN STENNIS was brutally gunned down by two armed robbers in front of his home in Northwest Washington, were accompanied by heartfelt wishes and prayers that, despite the seriousness of his wounds, medical skill and his own indomitable spirit would overcome the serious wounds he suffered.

There is no doubt that Senator STENNIS received the best medical attention the best doctors in this country could provide. He was strongly sustained by the love and devotion of his wife and his family. He was comforted and cheered by the constant expressions of confidence, and by the visits to his bedside of many friends. But with all that these meant—and they meant much—there is no question that the presence of Senator JOHN STENNIS in this Chamber today is due in significant measure to the strengths of his heart and spirit in the face of dire adversity, and to his faith, and to the faith of his friends, that prayers to the Great Physician would be answered.

JOHN STENNIS has served his State and his Nation in this distinguished body for more than a quarter-century. During these years, in positions of ever-increasing responsibility, he has repeatedly demonstrated an unusually high level of competence, compassion, and courage in the performance of the duties and services with which he has been charged by an electorate that wholly trusts and respects him. Those of us who have the privilege of knowing and working with this outstanding Mississippian, fully share with his constituents this trust and respect.

Mrs. Stennis, his son and daughter, and his grandchildren must be immensely proud of the courage and determination he has shown. They must be immensely grateful that the dark days of fear and worry have turned into the bright days of triumph over adversity. We, in this Chamber, share with them this pride and gratitude, and we are grateful to have in our midst once again, a gentleman of high quality whose advice, counsel, and friendship are cherished by all who are fortunate to know and serve with him—the distinguished and revered junior Senator from Mississippi, JOHN STENNIS.

Mr. HELMS. Mr. President, certainly I desire to associate myself with other Senators who have so sincerely welcomed back to this Chamber our beloved friend, Senator JOHN STENNIS.

I think the distinguished Senator from Mississippi is now fully aware of how much he is loved and respected in this body. And I feel it should be emphasized that few men in the history of this Republic have been the beneficiary of the prayers and best wishes of so many of his countrymen as has Senator STENNIS these past few months.

So I would say to him: Welcome back. Like other Senators, I look forward to renewing the privilege of serving with this great and cheerful man. And I look forward also to being with him once again at the weekly Senate Prayer Breakfast which he has guided in such dedicated fashion.

Mr. GRIFFIN. Mr. President, there are few people in the long course of history—and even fewer in the Senate—who achieve the distinction of becoming a legend in their own time.

JOHN STENNIS has earned and richly deserves that distinction.

How wonderful it is that JOHN STENNIS can be present, and is here today, to listen to these tributes which come from the hearts of his colleagues.

The Nation needs JOHN STENNIS. The Senate needs JOHN STENNIS.

And we thank God that he is back among us.

Mr. HART. Mr. President, for each of the reasons cited by my colleagues, I rise to express delight at the return of Senator STENNIS. He is a good person—gentle in his relations with those of us junior to him, fair to us on occasions when we have differed.

Senator STENNIS, welcome back. The Senate is the better for your return.

Mr. RIBICOFF. Mr. President, I, too, join in welcoming Senator JOHN STENNIS back to the Senate. This, indeed, is a happy and special occasion. JOHN STENNIS is the outstanding Member of this body. He has the respect and friendship of all of us. It is so reassuring to know that JOHN is back with us in good health. It is good for the country to have Senator STENNIS' constructive leadership concerning the many problems facing our Nation.

Mr. TAFT. Mr. President, to have Senator JOHN STENNIS on the floor of the Senate with us today is a most welcome and notable national occasion. His return and his restored health could not come at a time when they are more important and vital to the Nation. Whether in agreement or opposition, his responses to the challenges of the past have been inspiring to all of us, and especially to me.

As to the future, we can take a new confidence and have new hope for sound solutions of problems of the present and the future now that we again have his help and counsel. Welcome back, Senator.

Mr. MCGEE. Mr. President, I know I speak for all Senators when I say how grateful and delighted I am to have our distinguished colleague and friend, the Senator from Mississippi (Mr. STENNIS), rejoin us here today.

All of us were stunned and shocked when we learned of the tragedy that had befallen our colleague on January 30 of this year. However, we are relieved that he has fully recovered from wounds he received when assailants attempted to rob him in front of his home.

Having served many years with JOHN STENNIS, I can honestly say that his leadership on the Appropriations Committee and on the floor of the Senate has been sorely missed during his absence. The strength and will he exhibited in his recovery are those very qualities which allowed him to overcome significant obstacles during his life of public service. It was in the best tradition of JOHN STENNIS.

I particularly welcome my distinguished colleague's return since he has always been a friend of the West and uniquely concerned about our needs.

Today, is highly satisfying for us all and we look forward to many more years of a close working relationship with one of our most able and respected colleagues.

Mr. SCHWEIKER. Mr. President, I rise today to join my colleagues to welcome the distinguished Senator from Mississippi (Mr. STENNIS) back to the Senate.

His very presence in this Chamber is a great inspiration to all Americans. But at the same time it comes as no surprise



to those of us who have had an opportunity to serve with him in the Senate and in the Senate Armed Services Committee. For it is the same remarkable fortitude, determination, leadership, and courage that have characterized JOHN STENNIS' service in the Senate that made possible his successful fight to overcome the gunshot wounds he suffered earlier this year. Our prayers were with Senator STENNIS and we are all glad that they were answered.

JOHN STENNIS has served the people of Mississippi as their U.S. Senator with dedication and distinction since 1947, and I for one am honored to be able to welcome him home today.

Mr. DOLE. Mr. President, I would like to join with my colleagues in welcoming back to this body a man who distinguishes it by his very presence, the Senator from Mississippi, JOHN STENNIS.

I can recall that my predecessor, Senator Frank Carlson, who was a great friend of Senator STENNIS, gave me some sound advice when I came to the Senate. He told me to keep an eye on men like Senator STENNIS for guidance and leadership. As a freshman Senator, I tried to follow that advice and have learned from JOHN STENNIS and men like him a great deal about the Senate, about national affairs and about public policy.

And the Nation has now learned a great deal from JOHN STENNIS about courage and fortitude. He has come back to the Senate after an absence of many weeks and after waging a serious personal battle he should never have had to fight.

His victory is a victory for the Senate and his return brings back to the Senate a voice of insight and intelligence that has been sorely missed.

Mr. BROOKE. Mr. President, it is a pleasure to welcome Senator STENNIS back. Our prayers for his recovery have been answered. His long ordeal is over and again we have witnessed his faith, courage, and steadfastness. He triumphantly fought unfavorable odds and we are grateful he is again among us. Suffice it to say: Welcome home, JOHN; we missed you; and we are glad you are back.

Mr. CRANSTON. Mr. President, that JOHN STENNIS joins us again in the Senate at this time, when moral leadership, honesty, fairness, faith, and good will are so badly needed in the leadership of our land, is deeply symbolic as we reconvene for the work lying before us.

JOHN STENNIS has contributed much to Congress and the country, as so many Senators have noted.

But I suspect that his greatest contributions lie before him, Congress, and the country.

For out of his ordeal, his trial by fire, out of the tests he has met, out of his time for reflection on life and its meaning and its challenges and its opportunities, his great character and his strong intellect will, I deeply believe, lead him to even greater heights. I believe that JOHN STENNIS will be best remembered not for all he has already done, but for all he will yet do.

Mr. RANDOLPH. Mr. President, today is truly a happy occasion as we welcome back the distinguished Senator from Mississippi, who again stands tall among us.

His cherished presence is a tribute to his hardy ancestry and to his own staunch determination to pick up the reins and resume his vital mission.

We are grateful for the safe return of JOHN STENNIS from the ordeal of a vicious and reprehensible attack. From those first shattering moments, those of us who have served with him these many years knew that, with God's grace, he would return to us.

His inner strength, his character, his goodness, are qualities which sustained him even beyond the skills of medical science. The pure faith which he evinces and inspires gives us renewed belief that God is good and merciful. JOHN STENNIS, on whom much responsibility rests, knows the power of gentleness. He has long been a source of strength in our Wednesday prayer breakfast meetings.

I am reminded of the lines by John G. Whittier which were quoted to me by our former Chaplain, Dr. Frederick Brown Harris, as follows:

The healing of His seamless dress

Is by our beds of pain;

We touch Him in life's throng and press,

And we are whole again.

I join joyously with my colleagues in marking this day when this sage and stalwart servant comes home to the Hill to work again with us, in the Senate and in committees, on the public business.

Mr. PELL. Mr. President, integrity and a sense of honor are rare and wonderful qualities. Those qualities are more prevalent in this body than is generally recognized and in most other bodies around the world.

They are qualities exemplified by JOHN STENNIS. As he returns to the Senate at this time, at this juncture in our history, when the need for those qualities is so apparent and widespread, it is most fitting for all of us to say a prayer of thanks that his health—like the gentle rain from heaven—has come back to him. Moreover, as his friend, I am glad that he is back with us today.

Mr. PASTORE. Mr. President, I should like to say to my good friend JOHN STENNIS that the eloquence of this joyful day is not so much in what we say but in what each of us feels at this moment.

There has been a sense of emptiness in this Chamber during your absence, JOHN. Every time the roll was called by the clerk and your name was mentioned, there was a sense of emptiness in the hearts of each one of us.

Thank God, today that will be changed. The roll will be called and when we come to the name of JOHN STENNIS, once again we will hear that melodious, affectionate, and effective voice.

I must say to you, JOHN, that God has been good to you. He has provided you with a helpmate who gave you the strength and courage you needed in your moments of despair and discouragement. He has provided you with effective and talented doctors who were at your beck and call to make sure that every element of medical science would be called into play to make sure your life would be spared.

Today, you have come back to the scene of your love, the Senate of the United States.

It has been said here, time and time again, that no person in memory has exemplified the dignity and the quality of this great establishment, the Senate, more than you have. You have been a teacher and mentor to us all. For that, we are extremely grateful.

To sum up our feelings today in your happy return, JOHN, I want to say from the bottom of our hearts that we love you. We love you, and we are glad that you are back.

Mr. STENNIS. Mr. President, it is not within my power or ability to properly or sufficiently thank my colleagues for what has been said here today.

Let me emphasize in every way I can that I deeply appreciate your remarks. I believe that you meant them, which adds up, to me, to perhaps the greatest challenge I have ever faced.

This leads me to another kindred thought, certainly not to compliment myself but as a matter of fact and faith, that I believe and am confident that there was divine intervention that played a part in my physical recovery. That was expressed in various ways but I shall not go further into that now. But I hope that I am free to illustrate that when I was able to, I began to thank the surgeons as well as others who had contributed to my care.

First, the chief surgeon stopped me and said, "A higher hand got into this case." I think he meant exactly what he said. A higher hand did get into the case—in the operating room and in the subsequent care room.

How can a man meet that challenge? First, I am grateful. Next, with all of my ability, I will try.

I want again to thank each of you who sent messages, gifts, who prayed, who came to see me. Everyone could not come, and I could not see everyone, anyway. All those prayers and all of the other expressions added up and helped out greatly.

I had not had an emotional overflow or breakdown—if I may relate this—until they brought me a letter written in pencil from way out in the country in Mississippi. The writer related that they had heard this news, and he said, "My wife and I didn't know what to do. So we decided to go to the church. When we got there, we found over half of the people in the community already there." I was overcome with emotion.

I relate that because it is in keeping with what many of you have said. There is a high power, and that power intervenes.

In thanking everyone, I also want to thank my wonderful wife—I call her Miss Coy—for her fine and courageous attention. I call her my commanding officer. Those were trying days for her.

I can only redeem what you said here today by doing my utmost as a Member of this body to carry on for our people and our Nation.

I want to mention another matter. It has been said to me that "You are going back to a different Senate from the one that you left there in January." I do not believe one word of that. It was said in a tone that carried implications, at least, that something has happened and the Members are not living up to their responsibilities. I do not believe this is true.

I know that there have been many times in the years I have been here when the membership has been perplexed, wandered around somewhat, could not find an answer. But in some way, it always worked out. An answer was found that was at least fairly satisfactory to the people and fairly well met the demands of the times, whether it was a domestic or a foreign question or policy. I believe this happened again. This body has a membership that has resources, talent, dedication, ability, and determination that are unbounded far beyond what may be the appearances at times.

I recall that when things were still hanging in the balance as to whether or not I would live—someone showed me a letter from Mrs. Grace Jordan of Idaho. In the last paragraph of that letter she said, "Hold on. Hold on." Her words were a stimulant. That is what we must do here—hold on; hold on. We shall find a way. Basically, our system is sound, our purposes are sound, and we shall find a way.

Thank you again, God bless you, now and in all the days and years ahead.

[Applause, Senators rising.]

#### RIGHTS-OF-WAY ACROSS CERTAIN FEDERAL LANDS—ALASKA PIPELINE

Mr. JACKSON. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 1081.

The PRESIDING OFFICER (Mr. HATHAWAY) laid before the Senate the amendments of the House of Representatives to the bill (S. 1081) "to authorize the Secretary of the Interior to grant rights-of-way across Federal lands where the use of such rights-of-way is in the public interest and the applicant for the right-of-way demonstrates the financial and technical capability to use the right-of-way in a manner which will protect the environment" which were to strike out all after the enacting clause, and insert:

##### TITLE I

SECTION 1. Section 28 of the Mineral Leasing Act of 1920 (41 Stat. 449), as amended (30 U.S.C. 185), is further amended by striking out the following: "to the extent of the ground occupied by the said pipeline and twenty-five feet on each side of the same under such regulations and conditions as to survey, location, application, and use as may be prescribed by the Secretary of the Interior and upon," and by inserting in lieu thereof the following: "Provided, That—

"(a) the width of a right-of-way shall not exceed fifty feet plus the ground occupied by the pipeline (that is, the pipe and its related facilities) unless the Secretary finds, and records the reasons for his finding, that in limited areas a wider right-of-way is necessary for operation and maintenance after construction, or to protect the environment or public safety. Related facilities include but are not limited to valves, pump stations, supporting structures, bridges, monitoring and communication devices, surge and storage tanks, terminals, roads, and campsites, and they need not necessarily be connected or contiguous to the pipe and may be the subjects of separate rights-of-way;

"(b) a right-of-way may be supplemented by such temporary permits for the use of public lands in the vicinity of the pipeline as the Secretary finds are necessary in con-

nection with construction, operation, maintenance, modification, repair, or termination of the pipeline, or to protect the natural environment or public safety;

"(c) rights-of-way and permits shall be subject to such terms and conditions as the Secretary shall prescribe regarding duration, survey, location, construction, operation, maintenance, use, and termination; the Secretary shall impose requirements for the operation of the pipeline and related facilities in a manner that will protect the safety of workers and protect the public from sudden ruptures and slow degradation of the pipeline; and the Secretary shall also comply with section 102 of the National Environmental Policy Act (83 Stat. 853; 42 U.S.C. 4332), and impose requirements that will prevent to the extent practical any adverse environmental impact, including but not limited to requirements for restoration, revegetation, and curtailment of erosion of the surface of the land, and for protection of fish and wildlife and their habitat; and the Secretary shall report to the House and Senate Committees on Interior and Insular Affairs annually on the safety and environmental requirements imposed pursuant to this subsection;

"(d) permits and rights-of-way shall be limited to the shortest term practical;

"(e) in order to minimize adverse environmental impacts and to prevent the proliferation of separate rights-of-way across Federal lands, each oil or gas right-of-way or permit issued pursuant to section 28 of the Mineral Leasing Act of 1920 (41 Stat. 449), as amended (30 U.S.C. 185) shall reserve to the Secretary the right to grant additional rights-of-way or permits for compatible uses on or adjacent to the aforementioned oil or gas right-of-way under the same terms and conditions as prescribed in subsection (c);

"(f) the applicant for a right-of-way or permit shall reimburse the United States for administrative and other costs incurred in processing the application, and the grantee of a right-of-way or permit or the user thereof shall reimburse the United States for the costs incurred in monitoring the construction, operation, maintenance, and termination of any pipeline and related facilities on such right-of-way or permit area and shall pay annually in advance the fair market rental value of the right-of-way or permit, as determined by the Secretary;

"(g) the Secretary shall notify the House and Senate Committees on Interior and Insular Affairs promptly upon receipt of an application for a right-of-way for a pipeline twenty-four inches or more in diameter, and no right-of-way for such pipeline shall be granted until sixty days (not counting days on which the House of Representatives or the Senate has adjourned for more than three days) after a notice of intention to grant the right-of-way, together with the Secretary's detailed findings as to terms and conditions he proposes to impose, has been submitted to such committees, unless each committee by resolution waives the waiting period;

"(h) the Secretary, by regulation, shall establish procedures, including public hearings, where appropriate, to give Federal, State, and local government agencies and the public adequate notice and opportunity to comment upon right-of-way applications filed after the date this subsection becomes effective;

"(i) such rights-of-way shall contain."

Sec. 2. Section 28 of the Mineral Leasing Act of 1920 is further amended by striking out "Provided further, That no" and inserting "; (j) no".

Sec. 3. Section 28 of the Mineral Leasing Act is further amended by inserting after the words "common carriers" the additional words "for oil and gas produced on non-Federal lands and shall accept, convey, transport, or purchase without discrimination oil or gas delivered to the line".

Sec. 4. (a) Pipelines on public lands sub-

ject to this Act are subject to the provisions of the Gas Pipeline Safety Act of 1968.

(b) Quarterly, the Secretary of the Interior shall cause the examination of all pipelines and associated facilities on public lands and shall cause the prompt reporting of all leaks or potential leaks on such lands.

(c) The Secretary of the Interior shall report annually to the President, the Congress, the Secretary of Transportation and the Interstate Commerce Commission any potential dangers of or actual explosions or potential or actual spillage on public lands and shall include in such report a statement of corrective action taken to prevent such explosion or spillage.

##### TITLE II

Sec. 201. This title may be cited as the "Trans-Alaskan Pipeline Authorization Act".

Sec. 202. The Congress finds and declares that—

(a) The early delivery of oil and gas from Alaska's North Slope to domestic markets is in the national interest.

(b) Transportation of oil by pipeline from the North Slope to Valdez, and by tanker from Valdez to domestic markets, will best serve the immediate national interest.

(c) A supplemental pipeline to connect the North Slope with a trans-Canadian pipeline may be needed later, and it should be studied now, but it should not be regarded as a substitute for a trans-Alaskan pipeline that does not traverse a foreign country.

(d) The actions of the Secretary of the Interior heretofore taken with respect to the proposed trans-Alaskan oil pipeline shall be regarded as satisfactory compliance with the provisions of the National Environmental Policy Act of 1969.

Sec. 203. (a) The Secretary of the Interior is hereby authorized and directed to grant, in accordance with the provisions of section 28 of the Mineral Leasing Act of 1920, as amended by title I of this Act, but without the notice required by subsection 28(g), and without further action under the National Environmental Policy Act of 1969, notwithstanding the compliance requirement of subsection 28(c), and notwithstanding the provisions of any law other than said section 28 and this title II, such rights-of-way and permits as he finds necessary for the construction, operation, and maintenance of a trans-Alaskan oil pipeline.

(b) The route of the trans-Alaskan oil pipeline shall follow generally the route described in applications pending before the Secretary of the Interior on the date of this Act, except as this may be modified by the Secretary of the Interior or his designated representative to provide during construction greater environmental protection.

(c) The Secretary shall include in rights-of-way and permits granted pursuant to this title II terms and conditions that will in his judgment mitigate any adverse environmental impact. In such rights-of-way and permits, the Secretary shall also include terms and conditions providing for—

(1) liability on the part of the permittee or grantee to any Alaska Native or Native organization for injuries or damages sustained, arising from or growing out of any activity conducted by the holder of such rights-of-way or permits without regard to—

(A) whether the injury or damage complained of is due to negligence on the part of such holder; or

(B) ownership of any affected lands, structures, fish, wildlife, or biotic or other natural resources relied upon by such Alaska Native or Native organization for subsistence or economic purposes;

(2) determination of claims for injury or damages by such Alaska Native or Native organization by arbitration or judicial proceedings; and

(3) the provision, upon order of the Secretary or his delegate, by the holder of such rights-of-way or permits, of emergency subsistence and other aid to an affected Alaska



Native or Native organization pending expeditious filing of, and determination of, a claim.

Where the State of Alaska is the holder of a right-of-way or permit under this title, the State shall not be subject to the provisions of the preceding sentence but the holder of the permit or right-of-way for the trans-Alaska pipeline shall be subject to that sentence with respect to facilities constructed or activities conducted under rights-of-way or permits issued to the State to the extent that such holder engages in the construction, care, maintenance, or operation of facilities, or in other activities, under rights-of-way or permits issued to the State.

(d) No rights-of-way or permit which may be granted by the Secretary of the Interior under this title II, and no permit or other form of authorization which may be granted by any other Federal agency with respect to construction of the trans-Alaskan oil pipeline, and no public land order or other Federal authorization with respect to the construction of a public highway between the south bank of the Yukon River and Prudhoe Bay and generally parallel to the pipeline shall be subject to judicial review on the basis of the National Environmental Policy Act of 1969.

(e) The Secretary of the Interior shall take such affirmative action as he deems necessary to assure that no person shall, on the grounds of race, creed, color, national origin, or sex, be excluded from receiving, or participating in any activity conducted under, any permit, right-of-way, public land order, or other Federal authorization granted or issued under this title. The Secretary of the Interior shall promulgate such rules as he deems necessary to carry out the purposes of this subsection and may enforce this subsection, and any rules promulgated under this subsection, through agency and department provisions and rules which shall be similar to those established and in effect under title VI of the Civil Rights Act of 1964.

(f) Notwithstanding any other provisions of law, any action or proceeding, other than an action or proceeding brought by the United States, involving any right-of-way, permit, or other form of authorization granted with respect to the construction of the trans-Alaskan pipeline, to which the United States, any department, agency, or instrumentality of the United States, or any officer or employee of the United States, is a party, and which is not barred by subsection (d), shall be brought and heard only according to the provisions of this subsection. Any such action or proceeding shall be commenced within sixty days following the date of such a right-of-way, permit, or other form of authorization is issued and shall be brought in a United States district court, which shall have exclusive jurisdiction to hear such action or proceeding. Such an action or proceeding shall be heard by a three-judge district court appointed in the same manner as a three-judge district court appointed under section 2284 of title 28 of the United States Code. Any such action or proceeding shall be assigned for hearing at the earliest practicable date, shall take precedence over all other matters pending on the docket of the district court at that time, and shall be expedited in every way by such three-judge district court. Any review of an interlocutory or final judgment, decree, or order of such three-judge district court by any party to such action or proceeding may be had only upon direct appeal to the Supreme Court of the United States.

(g) Notwithstanding the provisions of subsection (e) of this section the Secretary of Labor shall be prohibited from issuing any short-term labor clearances to foreign nationals for construction, operation, and maintenance of the trans-Alaskan pipeline when unemployment in the United States is

4.5 per centum or above unless unemployed persons capable of performing such labor cannot be found in this country.

SEC. 204. A right-of-way or permit granted under this title II for a road or airport as a related facility of the trans-Alaskan pipeline may provide for the construction of a public road or airport.

SEC. 205. The grant of a right-of-way or permit pursuant to this title II shall grant no immunity from the operation of the Federal antitrust laws.

SEC. 206. Any crude oil transported over rights-of-way granted pursuant to section 28 of the Mineral Leasing Act of 1920 shall be subject to all of the limitations and licensing requirements, and penalty and enforcement provisions, of the Export Administration Act of 1969 (Act of December 30, 1960; 83 Stat. 841) and, in addition, before any crude oil subject to this section may be exported under the limitations and licensing requirements of the Export Administration Act of 1969 the President must make and publish an express finding that such exports are in the national interest: *Provided*, That no exports of crude oil subject to this section shall be made unless and until Congress adopts a concurrent resolution stating its agreement with the President's finding concerning the national interest.

SEC. 207. (a) Except when the holder of a permit or right-of-way granted pursuant to this title can prove that damages caused by the holder's activities conducted at any point along the route of the proposed trans-Alaskan pipeline were caused by an act of war or by negligence of the United States or other government, such holder shall be strictly liable to all damaged parties, including but not limited to private persons, Alaska Natives, Native organizations, and Federal and State governments, without regard to fault for such damages.

(b) (1) The Secretary shall direct as a term or condition of any permit or right-of-way issued pursuant to this title that, except when the holder of such permit or right-of-way can prove that damages resulting from discharges of oil in violation of section 11(b)(2) of the Federal Water Pollution Control Act (33 U.S.C. 1161(b)(2)) were caused by an act of war or by negligence of the United States or other government such holder shall be strictly liable without regard to fault to all parties, including but not limited to private persons and the Federal and State governments, for all damages resulting from such discharges of oil from, or involving vessels owned, chartered, operated, or leased by or for such holder, affiliate of such holder, shareholder, partner, or other constituent part of the holder, where the cargo of such vessel is oil transported by the proposed trans-Alaskan pipeline. Any action taken pursuant to this subsection shall be brought in the appropriate United States court.

(2) For the purposes of this subsection, the term "affiliate" includes—

(A) any person or corporation owned or controlled by the permit holder or by a shareholder, partner, or other constituent part of the permit holder; or

(B) any person or corporation which owns a substantial interest in or controls the permit holder by—

(i) stock interest, or  
(ii) representation on a board of directors or similar body, or  
(iii) contract or other agreement with other stockholders, or  
(iv) otherwise; or

(C) any person or corporation which is under common ownership or control with the permit holder.

(c) The Secretary is directed to require from the holder a bond that shall at all times be maintained and in force and effect in the full principal amount during construction, operation, and termination of the proposed trans-Alaskan pipeline. The amount of said

bond shall be adequate to insure the payment of any final judgment recovered against the holder for loss or damage in actions arising under this section.

(d) If any area within or without the right-of-way granted under this title is polluted by any operation conducted by or on behalf of the person to whom such right-of-way was granted, and such pollution damages or threatens to damage aquatic life, wildlife, or public or private property, the control and total removal of the pollutant whatsoever found, proximately resulting therefrom shall be at the expense of such person, including any administrative and other costs incurred by the Secretary or any other Federal officer or agency. Upon failure of such person to adequately control and remove such pollutant the Secretary, in cooperation with other Federal, State, or local agencies, or in cooperation with such person, or both, shall have the right to accomplish the control and removal at the expense of such person.

SEC. 208. (a) The Secretary of the Interior is directed to report at least semiannually to the House and Senate Committees on Interior and Insular Affairs on the progress of construction of the proposed trans-Alaskan pipeline and related facilities and on the implementation of environmental stipulations attached to any permits or rights-of-way for the proposed trans-Alaskan pipeline. The first report shall be made no later than six months from the date of any permit or right-of-way granted pursuant to this title. Further reports shall be made at no greater than six-month intervals from the last prior report made.

(b) The Secretary shall issue a cease-and-desist order to halt construction of the proposed trans-Alaskan pipeline and related facilities at any time whenever he finds that the stipulations attached to permits or rights-of-way issued pursuant to this title are not being implemented or that significant damage to the environment, unforeseen at the time at which permits or rights-of-way were issued for the proposed trans-Alaskan pipeline, may occur if construction is not halted.

SEC. 209. (a) The Secretary of the Interior is authorized and directed to investigate the feasibility of one or more oil or gas pipelines from the North Slope of Alaska to connect with a pipeline through Canada that will deliver oil or gas to United States markets. The cost of making the investigation shall be charged to any future applicant who is granted a right-of-way for one of the routes studied. The Secretary shall submit to the Congress periodic reports of his investigation, and the final report of the Secretary shall be submitted to the Congress within two years from the date of this Act.

(b) The President is authorized and requested to enter into negotiations with the Government of Canada to determine (1) the terms and conditions under which pipelines or other transportation systems could be constructed across Canadian territory for the transport of oil and gas from Alaska's North Slope to markets in the United States, and (2) the feasibility, consistent with the needs of other sections of the United States, of acquiring additional oil export commitments from the Government of Canada that would make unnecessary the shipment of oil from the Alaskan pipeline by tanker into the Puget Sound area. The President shall report to the Congress the actions taken, the progress achieved, the areas of disagreement, and the matters about which more information is needed, together with his recommendations for further action.

(c) Nothing in this section shall limit the authority of the Secretary of the Interior, or any other Federal official, to grant a gas pipeline right-of-way or permit which he is otherwise authorized by law to grant.

SEC. 210. The words "trans-Alaskan pipeline", wherever used in this title, mean that

pipeline system, including related facilities, described in the "Final Environmental Impact Statement, Proposed Trans-Alaskan Pipeline".

SEC. 211. Notwithstanding any other provision of law, and unless the Secretary of the Interior shall determine it to be inconsistent with the public interest, only such unmanufactured articles, materials, and supplies as have been mined or produced in the United States, and only such manufactured articles, materials, and supplies as have been manufactured in the United States substantially all from articles, materials, or supplies mined, produced, or manufactured, as the case may be, in the United States, shall be used in the construction, operation, and maintenance of the trans-Alaskan pipeline, and related facilities authorized under this Act. This section shall not apply with respect to articles, materials, or supplies—

(a) for use outside the United States;

(b) if articles, materials, or supplies of the class or kind to be used or the articles, materials, or supplies from which they are manufactured are not mined, produced, or manufactured, as the case may be, in the United States in sufficient and reasonably available commercial quantities and of a satisfactory quality; or

(c) purchased, or contracted for, before August 2, 1973.

SEC. 212. If any provision of this Title or Title I of this Act or the applicability thereof is held invalid the remainder of such Title shall not be affected thereby.

And amend the title so as to read: "An Act to amend section 28 of the Mineral Leasing Act of 1920, and to authorize a trans-Alaska oil and gas pipeline, and for other purposes."

Mr. JACKSON. Mr. President, I move that the Senate disagree to the amendments of the House and request a conference with the House of Representatives on the disagreeing votes of the two Houses thereon, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. JACKSON, Mr. BIBLE, Mr. JOHNSTON, Mr. HASKELL, Mr. FANNIN, Mr. HANSEN, and Mr. HATFIELD, conferees on the part of the Senate.

#### COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

The ACTING PRESIDENT pro tempore (Mr. HASKELL) laid before the Senate the following communications and letters, which were referred as indicated:

PROPOSED AMENDMENT TO THE BUDGET, 1974, FOR DISASTER RELIEF (S. Doc. No. 93-36)

A communication from the President of the United States, received by the Secretary of the Senate on August 7, 1973, under authority of the order of the Senate of August 3, 1973, transmitting a proposed budget amendment for fiscal year 1974, in the amount of \$300,000,000 in budget authority for funds appropriated for disaster relief (with an accompanying paper). Referred to the Committee on Appropriations and ordered to be printed.

PROPOSED AMENDMENT TO THE BUDGET, 1974 FOR DEPARTMENT OF COMMERCE (S. Doc. No. 93-35)

A communication from the President of the United States, received by the Secretary of the Senate on August 15, 1973, under authority of the order of the Senate of

August 3, 1973, transmitting a proposed amendment to the request for appropriations transmitted in the budget for the fiscal year 1974, in the amount of \$5,000,000, for the Department of Commerce (with an accompanying paper). Referred to the Committee on Appropriations and ordered to be printed.

#### INTERCHANGE OF JURISDICTION

A letter from the Secretaries of Army and Agriculture giving notice, pursuant to law of the intention of the Departments to interchange jurisdiction of civil works and National Forest lands at Clark Hill Lake in South Carolina (with accompanying papers). Referred to the Committee on Agriculture and Forestry.

#### REPORT OF THE DEPARTMENT OF AGRICULTURE

A letter from the Assistant Secretary of Agriculture reporting, pursuant to law, on the use of funds to support executive dining rooms or similar facilities. Referred to the Committee on Appropriations.

#### REPORT OF THE DEPARTMENT OF TRANSPORTATION

A letter from the Secretary of Transportation reporting, pursuant to law, on the use of funds to support executive dining room facilities. Referred to the Committee on Appropriations.

#### REPORT OF THE DEPARTMENT OF JUSTICE

A letter from the Acting Assistant Attorney General reporting, pursuant to law, on the use of funds in support of executive dining rooms. Referred to the Committee on Appropriations.

#### REPORT OF THE DEPARTMENT OF DEFENSE

A letter from the Assistant Secretary of Defense transmitting, pursuant to law, a report of the estimated value, by country, of support furnished from military functions appropriations for support of Vietnamese and other free world forces in Vietnam and support of local forces in Laos (with an accompanying report). Referred to the Committee on Appropriations.

#### REPORT OF THE DEPARTMENT OF DEFENSE

A letter from the Assistant Secretary of Defense reporting, pursuant to law, on the value of property, supplies, and commodities provided by the Berlin Magistrate and under German Offset Agreement for the quarter April 1, 1973 through June 30, 1973. Referred to the Committee on Appropriations.

#### REPORT OF THE DEPARTMENT OF THE AIR FORCE

A letter from the Secretary of the Air Force transmitting, pursuant to law, a report entitled "Semi-Annual Experimental, Development, Test and Research Procurement Action Report (with an accompanying report). Referred to the Committee on Armed Services.

#### REPORT OF THE DEPARTMENT OF THE ARMY

A letter from the Secretary of the Army transmitting, pursuant to law, reports of the number of officers on duty with Headquarters, Department of the Army and detailed to the Army General Staff on 30 June 1973 (with accompanying reports). Referred to the Committee on Armed Services.

#### REPORT OF THE DEPARTMENT OF DEFENSE

A letter from the Deputy Secretary of Defense transmitting, pursuant to law, a report on funds obligated in the chemical warfare and biological research programs during the second half of fiscal year 1973 (with an accompanying report). Referred to the Committee on Armed Services.

#### REPORT OF THE DEPARTMENT OF STATE

A letter from the Acting Assistant Secretary of State transmitting, pursuant to law, a report showing the assistance-related expenditures for Laos during the fourth quarter of fiscal year 1973 and for the entire fiscal year (with an accompanying report). Referred to the Committee on Armed Services.

#### REPORT OF THE DEPARTMENT OF THE ARMY

A letter from the Acting Assistant Secretary of the Army transmitting, pursuant to law, a report on Department of the Army research and development contracts (with an accompanying report). Referred to the Committee on Armed Services.

#### REPORT OF THE DEPARTMENT OF THE NAVY

A letter from the Deputy Chief of Naval Material transmitting, pursuant to law, the semiannual report of research and development procurement actions of \$50,000 and over (with an accompanying report). Referred to the Committee on Armed Services.

#### REPORT OF THE DEPARTMENT OF DEFENSE

A letter from the Assistant Secretary of Defense submitting, pursuant to law, a report of Department of Defense procurement from small and other business firms for July 1972-May 1973 (with an accompanying report). Referred to the Committee on Banking, Housing and Urban Affairs.

#### REPORT OF THE EXPORT-IMPORT BANK OF THE UNITED STATES

A letter from the Chairman of the Export-Import Bank of the United States reporting, pursuant to law, on the approval of loans, guarantees, and insurance in support of U.S. exports to certain foreign countries. Referred to the Committee on Banking, Housing and Urban Affairs.

#### REPORT OF THE NATIONAL TRANSPORTATION SAFETY BOARD

A letter from the chairman of the National Transportation Safety Board transmitting, pursuant to law, the annual report of the Board (with an accompanying report). Referred to the Committee on Commerce.

#### REPORT OF THE FEDERAL MARITIME COMMISSION

A letter from the chairman of the Federal Maritime Commission transmitting, pursuant to law, the annual report of the Federal Maritime Commission (with an accompanying report). Referred to the Committee on Commerce.

#### REPORT OF THE NATIONAL RAILROAD PASSENGER CORPORATION

A letter from the vice president of the National Railroad Passenger Corporation transmitting, pursuant to law, the report of the Corporation for the month of April 1973 (with an accompanying report). Referred to the Committee on Commerce.

#### REPORT OF THE FEDERAL TRADE COMMISSION

A letter from the chairman of the Federal Trade Commission transmitting, pursuant to law, a supplemental report on cigarette labeling and advertising dated December 31, 1972 (with an accompanying report). Referred to the Committee on Commerce.

#### REPORT OF THE NATIONAL ADVISORY COMMITTEE ON OCEANS AND ATMOSPHERE

A letter from the chairman of the National Advisory Committee on Oceans and Atmosphere transmitting, pursuant to law, the committee's annual report (with an accompanying report). Referred to the Committee on Commerce.

#### PROPOSED LEGISLATION FOR THE DISTRICT OF COLUMBIA

Two letters from the Mayor-Commissioner of the District of Columbia transmitting two drafts of proposed legislation relating to higher education in the District of Columbia, and to increase the compensation of the Vice Chairman and other members of the District of Columbia Council (with accompanying papers). Referred to the Committee on the District of Columbia.

#### REPORT OF THE BOARD OF FOREIGN SCHOLARSHIPS

A letter from the Chairman of the Board of Foreign Scholarships transmitting, pursuant to law, the annual report entitled



"Report on Exchanges" (with an accompanying report). Referred to the Committee on Foreign Relations.

#### INTERNATIONAL AGREEMENTS OTHER THAN TREATIES

A letter from the Assistant Legal Adviser of the Department of State transmitting, pursuant to law, agreements other than treaties between the United States and certain foreign countries (with accompanying papers). Referred to the Committee on Foreign Relations.

#### REPORT OF THE GENERAL ACCOUNTING OFFICE

A letter from the Comptroller General of the United States transmitting, pursuant to law, a list of reports of the General Accounting Office for the month of July 1973 (with an accompanying report). Referred to the Committee on Government Operations.

#### REPORT OF THE COMPTROLLER GENERAL

Five letters from the Comptroller General of the United States transmitting, pursuant to law, a report entitled "Assessment of Federal and State Enforcement Efforts To Control Air Pollution From Stationary Sources"; a report entitled "Clarifying Webb-Pomerene Act Needed To Help Increase U.S. Exports"; a report entitled "Economic Development Programs in Bedford-Stuyvesant, Brooklyn, N.Y., Under the Special Impact Program"; a report entitled "Greater Use of Flight Simulators in Military Pilot Training Can Lower Costs and Increase Pilot Proficiency"; and a report entitled "Implementation of Emergency Loan Guarantee Act" (with accompanying reports). Referred to the Committee on Government Operations.

#### PROPOSED LEGISLATION BY THE GENERAL SERVICES ADMINISTRATION

A letter from the Administrator of General Services transmitting a draft of proposed legislation to authorize the Administrator of General Services to enter into multiyear leases through use of the automatic data processing fund without obligating the total anticipated payments to be made under such leases (with accompanying papers). Referred to the Committee on Government Operations.

#### ORDERS OF THE IMMIGRATION AND NATURALIZATION SERVICE

Six letters from the Acting Commissioner of the Immigration and Naturalization Service transmitting, pursuant to law, orders entered by the Service regarding certain aliens (with accompanying papers). Referred to the Committee on the Judiciary.

#### ACTION BY THE INTERNATIONAL LABOR CONFERENCE

A letter from the Assistant Secretary of State transmitting pursuant to law, the texts of certain instruments adopted by the International Labor Conference at Geneva, Switzerland, on October 30, 1970 (with accompanying papers). Referred to the Committee on Labor and Public Welfare.

#### REPORT OF THE PUBLIC HEALTH SERVICE

A letter from the Secretary of Health, Education, and Welfare transmitting, pursuant to law, the annual report for fiscal year 1972 of the Public Health Service (with an accompanying report). Referred to the Committee on Labor and Public Welfare.

#### REPORT OF THE ENVIRONMENTAL PROTECTION AGENCY

A letter from the Assistant Administrator of the Environmental Protection Agency transmitting, pursuant to law, a report showing the number of employees and grades employed by the Agency on June 30, 1972 and June 30, 1973 (with accompanying papers). Referred to the Committee on Post Office and Civil Service.

#### AGREEMENTS ON WATER RESOURCE PROJECTS

A letter from the Acting Special Assistant to the Secretary of the Army trans-

mitting, pursuant to law, a report concerning required cooperation agreements on water resource projects (with an accompanying report). Referred to the Committee on Public Works.

#### ENERGY AND THE ENVIRONMENT—ELECTRIC POWER

A letter from a member of the Council on Environmental Quality transmitting a report entitled "Energy and the Environment—Electric Power" (with an accompanying report). Referred to the Committee on Public Works.

#### PROPOSED LEGISLATION BY THE VETERANS' ADMINISTRATION

A letter from the Deputy Administrator of the Veterans' Administration transmitting a draft of proposed legislation to provide for the automatic guaranty of mobile home loans (with accompanying papers). Referred to the Committee on Veterans' Affairs.

#### REPORT OF THE SECRETARY OF THE SENATE (S. Doc. No. 93-34)

A letter from the Secretary of the Senate transmitting, pursuant to law, a report of the receipts and expenditures of the Senate from January 1, 1973, through June 30, 1973 (with an accompanying report). Ordered to lie on the table, and to be printed.

#### REPORT OF THE ARCHITECT OF THE CAPITOL (S. Doc. 93-33)

A letter from the Architect of the Capitol transmitting, pursuant to law, a report of all expenditures during the period January 1, 1973 through June 30, 1973 (with an accompanying report). Ordered to lie on the table, and to be printed.

### PETITIONS

Petitions were laid before the Senate and referred as indicated:

By the ACTING PRESIDENT pro tempore (Mr. HASKELL):

A joint resolution of the Legislature of the State of Alabama. Referred to the Committee on the Judiciary:

#### "SENATE RESOLUTION 6

"Applying to the Congress for a convention to propose an amendment to the Constitution of the United States

"Be it resolved by the Legislature of the State of Alabama, both Houses thereof concurring, That said Legislature, hereby and pursuant to Article V of the Constitution of the United States, makes application to the Congress of the United States to call a convention for the proposing of the following amendment to the Constitution of the United States: No student shall be assigned to nor compelled to attend any particular public school on account of race, religion, color or national origin.

"Be it further resolved, That this application by the Legislature of the State of Alabama constitutes a continuing application in accordance with Article V of the Constitution of the United States until at least two-thirds of the legislatures of the several states have made similar applications pursuant to Article V, but if Congress proposes an amendment to the Constitution identical with that contained in this resolution before January 1, 1974, this application for a state application shall no longer be of any force or effect; and

"Be it further resolved, That since this method of proposing amendments to the Constitution has never been completed to the point of calling a convention and no interpretation of the power of the states in the exercise of this right has ever been made by the court or any qualified tribunal, if there be such, and since the exercise of the power is a matter of basic sovereign rights and the interpretation thereof is primarily in the sovereign government making such exercise

and since the power to use such right in full also carries the power to use such right in part the Legislature of the State of Alabama interprets Article V to mean that if two-thirds of the states make application for a convention to propose an identical amendment to the Constitution for ratification with a limitation that such amendment be the only matter before it, that such convention would have power only to propose the specified amendment and would be limited to such proposal and would not have power to vary the text thereof nor would it have power to propose other amendments on the same or different propositions; and

"Be it further resolved, That a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, to each member of the Congress from this State and to each House of each State Legislature in the United States."

A concurrent resolution of the Legislature of the State of Delaware. Referred to the Committee on the Judiciary:

#### "SENATE CONCURRENT RESOLUTION No. 14

"Applying to the Congress for a convention to propose an amendment to the Constitution of the United States

"Be it resolved by the Senate of the 127th General Assembly, the House of Representatives concurring therein, that the General Assembly of the State of Delaware hereby, and pursuant to Article V of the Constitution of the United States, makes application to the Congress of the United States to call a convention for the proposing of the following amendment to the Constitution of the United States:

#### "ARTICLE —

"No student shall be assigned to nor compelled to attend any particular public school on account of race, religion, color or national origin."

"Be it further resolved that this application by the General Assembly of the State of Delaware constitutes a continuing application in accordance with Article V of the Constitution of the United States until at least two-thirds of the legislatures of the several states have made similar applications pursuant to Article V, but if Congress proposes an amendment to the Constitution identical with that contained in this resolution before January 1, 1974, this application for a state application shall no longer be of any force or effect.

"Be it yet further resolved that since this method of proposing amendments to the Constitution has never been completed to the point of calling a convention and no interpretation of the power of the states in the exercise of this right has ever been made by any court or any qualified tribunal, if there be such, and since the exercise of the power is a matter of basic sovereign rights and the interpretation thereof is primarily in the sovereign government making such exercise and since the power to use such right in full also carries the power to use such right in part the General Assembly of the State of Delaware interprets Article V to mean that if two-thirds of the states make application for a convention to propose an identical amendment to the Constitution for ratification with a limitation that such amendment be the only matter before it, that such convention would have power only to propose the specified amendment and would be limited to such proposal and would not have power to vary the text thereof nor would it have power to propose other amendments on the same or different propositions.

"Be it yet further resolved that a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United

States, to each member of the Congress from this State and to each House of each State Legislature in the United States."

A resolution of the House of the General Assembly of the State of Illinois. Referred to the Committee on the Judiciary:

#### "HOUSE RESOLUTION 113

"Whereas, The United States Supreme Court has recently placed on the United States Constitution a construction that is contradictory to the convictions of the people of the United States about the value of human life; and

"Whereas, The sweeping judgment of the United States Supreme Court in the Texas and Georgia abortion cases is a flagrant rejection of the unborn child's right to life through the full nine month gestation period; and

"Whereas, Human life in the womb is entitled to the protection of laws which ought not be abridged by act of any court or legislature or by any judicial interpretation of the Constitution of the United States; therefore, be it

"Resolved, By the House of Representatives of the Seventy-eighth General Assembly of the State of Illinois, that the Congress of the United States is hereby urged and requested to adopt a Constitutional Amendment that will guarantee the explicit protection of all unborn human life throughout its development subordinate only to saving the life of the mother, and will guarantee that no human life shall be denied equal protection of law or deprived of life on account of age, sickness or condition of dependency and that Congress and the several states shall have the power to enforce this article by appropriate legislation; and, be it further

"Resolved, That copies of this preamble and resolution be forwarded by the Secretary of State to the Illinois congressional delegation, the Secretary of the United States Senate, the Clerk of the United States House of Representatives, chairmen of the Judiciary Committees of the United States Senate and House of Representatives, the Attorney General of the United States and the President of the United States.

"Adopted by the House, May 9, 1973."

A concurrent resolution of the Legislature of the State of New York. Referred to the Committee on the Judiciary:

#### "RESOLUTION No. 128

"Concurrent Resolution of the Legislature of the State of New York memorializing Congress to declare February fifteenth, the birthday of Susan Brownell Anthony a national legal holiday

"Whereas, Susan Brownell Anthony was for many years a guiding force in the fight for human dignity for all people; and

"Whereas, Susan Brownell Anthony dedicated the major portion of her life to ensuring the extension of the franchise to all the women of the United States of America; and

"Whereas, Susan Brownell Anthony devoted much of her time and talent to education and in particular to opening the doors of universities to talented women; and

"Whereas, Susan Brownell Anthony centered most of her activities in New York State and maintained her home in the city of Rochester where she is buried; and

"Whereas, Susan Brownell Anthony exemplified the forces of leadership, determination and dedication so necessary to the establishment and continuance of this nation; now, therefore, be it

"Resolved (If the Assembly concur), That the Congress of the United States of America be and it hereby is, memorialized to declare February fifteenth, the birthday of Susan Brownell Anthony, a national legal holiday; and be it further

"Resolved (If the Assembly concur), That the Secretary of State of New York State be requested to transmit an attested copy of

this concurrent resolution to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States and to each member of Congress from the State of New York."

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. EAGLETON, from the Committee on the District of Columbia, with amendments:

H.R. 4771. An act to authorize the District of Columbia Council to regulate and stabilize rents in the District of Columbia (Rept. No. 93-384).

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first time and, by unanimous consent, the second time, and referred as indicated:

By Mr. CURTIS:

S. 2374. A bill to amend the Antidumping Act, 1921, to provide for a substituted constructed value in the case of certain imported merchandise. Referred to the Committee on Finance.

By Mr. COOK:

S. 2375. A bill for the relief of Adela Concepcion Renderos. Referred to the Committee on the Judiciary.

By Mr. HUMPHREY:

S. 2376. A bill for the relief of Miss Owenee Gloria Weerackody. Referred to the Committee on the Judiciary.

By Mr. HELMS:

S. 2377. A bill for the relief of Hoy Wha Tang (Howard Tang). Referred to the Committee on the Judiciary.

By Mr. HARTKE:

S. 2378. A bill to amend the Internal Revenue Code of 1954 to encourage State and local governments to decrease their reliance on real property taxes as the principal means of funding expenditures for education by allowing a credit against Federal income tax for State and local income taxes imposed to fund such expenditures. Referred to the Committee on Finance.

By Mr. SCOTT of Pennsylvania:

S. 2379. A bill for the relief of the H. & H. Manufacturing Co., Inc. Referred to the Committee on the Judiciary.

By Mr. WILLIAMS (for himself, Mr. CASE, Mr. CRANSTON, Mr. GRAVEL, Mr. HART, Mr. HUGHES, Mr. MATHIAS, Mr. MOSS, Mr. MUSKIE, and Mr. PELL):

S.J. Res. 151. A joint resolution establishing a Commission on United States participation in the United Nations. Referred to the Committee on Foreign Relations.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HARTKE:

S. 2378. A bill to amend the Internal Revenue Code of 1954 to encourage State and local governments to decrease their reliance on real property taxes as the principal means of funding expenditures for education by allowing a credit against Federal income tax for State and local income taxes imposed to fund such expenditures. Referred to the Committee on Finance.

Mr. HARTKE. Mr. President, there was a time in the history of this Nation that the real property tax served a useful purpose. Local government services had to be financed, and the property tax was

the best means to accomplish this goal. That time has long since passed.

Once, property holdings were a good indication of wealth; but, today, wealth consists only incidentally of property holdings. Substantial income is derived from investments and businesses. Nevertheless, many people with moderate incomes buy expensive homes because the housing and mortgage markets are so tight. It is these people together with the aged who live on fixed incomes who have suffered so much when property taxes have been raised.

A family with an income of \$5,000, for example, pays an average of 2.5 percent of its income for property taxes, while a family with an income of more than \$15,000 spends less than 1.5 percent of its income for the same purpose. In States such as New York, the contrast is even more drastic. There, a family with an income of \$10,000 pays 4 percent of its income in property taxes, while the comparable figure for a family with an income of \$70,000 is only 1.4 percent.

Between 1960 and 1968, the median local residential property tax for a non-farm homeowner rose from 2.7 percent to an estimated 4 percent, and the number of homeowners paying more than 10 percent of income for property taxes rose from 1.6 million to an estimated 3.1 million.

According to a study conducted in 1971 by the Congressional Research Service, the regressive nature of the property tax is probably as damaging to rural areas as it is to urban areas.

Mr. President, the property tax is destroying our communities. Because most property tax structures place low taxes on agricultural and unimproved land, this tax discourages the orderly transference of land use from farm to suburb while it encourages speculation in land on the fringes of metropolitan areas. It is a tax administered by local subdivisions of government without much thought to regional concerns and needs.

Of paramount importance, however, is the fact that spiraling costs for public education have caused local governments to raise property taxes to ever higher levels and to seek high revenue-producing land uses while resisting those uses which would not produce significant property tax revenue. In such an environment, both education and the community suffer. Communities throughout the Nation are rejecting proposed school budgets as part of a taxpayers' revolt against increasing property taxes. In many areas, high property taxes discourage the building of new homes and apartments, thus denying the housing needed to supply manpower for the local economy.

In the face of inequities and inefficiencies of the property tax, many school districts have been forced to adopt austerity budgets. Still others have found it necessary to close their doors during part of the school year because they did not have the money to pay salaries. The existence of a democratic society depends upon a sound educational system; yet, education in the United States is endangered by a chronic shortage of funds.

To meet this need, I am introducing



legislation today which will encourage State and local governments to abandon the property tax as a major source of revenue for public education. In essence, it provides a 50-percent Federal tax credit for those State and local government taxes imposed specifically to finance public education. In jurisdictions where such educational opportunity taxes are imposed, the Federal Government will provide 50 percent rebate to every individual taxpayer in the form of absolute reduction in Federal tax liability.

Before discussing the details of my proposal, it is important to understand the advantages which the tax-credit approach has over other alternatives. In an effort to solve the financial crisis in education, one possible solution would be to provide drastic increases in Federal aid. Although I remain committed to existing programs of Federal aid and to the need to increase the funding of those programs, I do not believe that massive Federal grants provide an answer to the educational crisis facing our Nation.

The history of Federal grant-in-aid programs is a history of a burgeoning bureaucracy. Taxpayers have a right to a detailed accounting of the expenditure of public funds. In providing that accounting, mounds of rules, regulations, procedures, and paperwork have been created. While this bureaucratic redtape is useful in some areas, it is harmful to the education process because it forces local communities to adapt their programs to Federal requirements, rather than encouraging the Federal Government to adapt their programs to local needs. In making these comments, I do not pass judgment on existing Federal programs to aid education; rather, I am suggesting that the expansion of those programs to replace a substantial portion of the funds now contributed through local government taxation would be a tragic mistake.

In rejecting the Federal grant-in-aid approach, I am also concerned about the continuing trend of looking to Washington to solve the problems of our communities. That trend is fostered by the inescapable fact that the Federal Government has the best means to raise large amounts of revenue, but—as I demonstrated when I introduced S. 1162 during the 92d Congress—State and local governments are not making efficient use of their present taxing powers.

The continuing reliance on Washington has eroded the feeling of responsibility which each community has for its own needs. I regard the existing web of Federal grant programs to be dangerous to the extent that they encourage people to believe that not only the money but also the concern and the solution will come from Washington and that local concern can be reduced in proportion to the amount of Federal aid. In the field of public education, this trend could have a disastrous impact. The cry of students and parents these past few years has been to make education relevant to community needs. No Federal grant-in-aid program can be as effective in accomplishing this goal as a local program. At the same time, local governments do not have the money needed to be innovative. The tax credit proposal I am introducing today enables the Federal

Government to assist financially, while keeping the primary responsibility for innovation, administration, and public accountability at the State and local levels.

In recent years, there has been a blossoming discussion about the value-added tax, or VAT. In its simplest terms, this amounts to a new method of levying a retail sales tax. The tax is computed on the value added at each stage of the economic chain. For example, a manufacturer applies the VAT tax to its sales and then subtracts the VAT tax it has paid on its purchases. The net is payable to the Government. The manufacturer bills its wholesalers for the VAT tax, just as it was earlier billed for that tax by its suppliers. The wholesaler in turn pays the Government the VAT tax on its sales, less the taxes the company has previously paid on its purchases, and then bills the VAT tax to its customers. The process is repeated again at the retail stage, with the retailer charging its customers for the VAT tax.

Clearly this is a retail sales tax because all businesses involved in the economic chain can pass the tax along to the next link in that chain. The consumer, however, can do no such thing. He pays the VAT tax when he buys the product from the retailer. And with equal clarity, it can be seen that the VAT tax is a regressive tax. Those with income less than \$10,000 account for more than 80 percent of all consumer expenditures. It is the low- and middle-income consumer who will bear the major burden of any VAT tax, and it is our economy which would be forced to bear the burden of renewed inflation which the VAT tax would almost certainly instigate.

Because of the weaknesses of these two approaches, my proposal is based on a third alternative—that of tax credits. Any taxpayer in a jurisdiction which has adopted an educational tax would be eligible for a 50-percent credit against his Federal income tax. If, for example, his State government imposed an educational tax which required him to pay \$100 more in State taxes, he would get a tax credit of \$50 on his Federal tax return. Carrying this example one step further, if the same taxpayer's Federal tax liability was \$150, the deduction of the \$50 credit would give him a Federal tax liability of only \$100.

The tax credit I have proposed applies both to State and local educational income taxes. Only those income taxes imposed by a State or a political subdivision of a State whose proceeds are used only for educational purposes, or that specified portion of a State or local income tax which may be used only for education purposes would be eligible for the 50-percent Federal tax credit. There is a further requirement that qualified State and local educational taxes would have to be certified by the Secretary of Health, Education, and Welfare to meet the following standards:

First, per pupil expenditures for educational purposes made by the State or political subdivision imposing the tax during the most recent fiscal year for which statistics are available must not be less than the per pupil expenditures for

educational purposes made by that State or political subdivision during its fiscal year ending in 1972; and

Second, the portion of the total expenditures for educational purposes made by the State or political subdivision imposing the tax during such most recent fiscal year which was attributable to revenue from taxes on real property must be less than the portion of the total expenditures for educational purposes made by that State or political subdivision during its fiscal year ending in 1972 which was attributable to revenue from taxes on real property.

By placing these certification requirements on qualified educational taxes, my proposal seeks to assure that Government units which adopt such a plan will not reduce per pupil expenditures and that those governmental units which seek to take advantage of the Federal tax credit provided in my bill adopt a plan of income taxation which results in a proportionate lowering of the proportion of real estate tax revenues used to finance public education.

The maximum total credit allowed for State and local educational taxes would be 24 percent of the taxpayer's Federal income tax liability. The bill does not determine the proportion of total tax credit that will be available to the State or to localities within a State. In other words, any combination of credits that added to 24 percent of the taxpayer's Federal tax liability would be acceptable under this bill.

The pressure from recent court decisions seems to be in the direction of greater State financing of education. The bill remains flexible on this still-unsettled issue. It also would permit local initiative in the absence of State action. A municipality could move immediately to an educational income tax and claim the full 24 percent credit although other taxing districts and the State delayed action.

A table appearing at the conclusion of my remarks, indicates that the tax credit concept has great potential for relief if the States and localities are only willing to place increased reliance upon the individual income tax as a revenue-raising device. Because current data on local income tax collections are not available, the table focuses on the possible State gain exclusively. Column 4 of the table shows that the potential benefit to the States is in excess of \$32 billion. These new funds could be used to improve schools and lower property taxes concurrently.

Mr. President, I am proposing legislation that encourages local responsibility and control, that promises greater tax equity and that can pave the way for more equal education for all our citizens. I ask unanimous consent that the text of the bill and the table to which I have referred be printed in the *Record* immediately following my remarks.

There being no objection, the bill and table were ordered to be printed in the *Record*, as follows:

S. 2378

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subpart A of part IV of subchapter A of chapter*

1 of the Internal Revenue Code of 1954 (relating to credits allowable) is amended by renumbering section 42 as 43, and by inserting after section 41 the following new section:

**"SEC. 42. STATE AND LOCAL EDUCATIONAL INCOME TAXES.**

**"(a) ALLOWANCE OF CREDIT.**—In the case of an individual, there shall be allowed, as a credit against the tax imposed by this chapter, an amount equal to 50 percent of the qualified State and local educational income taxes imposed on such individual and paid by him during the taxable year.

**"(b) LIMITATIONS.**—

**"(1) STATE AND LOCAL INCOME TAXES.**—The total under subsection (a) for any taxable year attributable to qualified State and local educational income taxes paid during the taxable year shall not exceed an amount equal to 24 percent of the tax imposed on the taxpayer by this chapter for the taxable year.

**"(2) APPLICATION WITH SECTION 164.**—The credit under subsection (a) for any taxable year, when added to the taxpayer's State and local educational income tax deduction benefit for the taxable year, shall not exceed the amount of qualified State and local educational income taxes imposed on the taxpayer and paid by him during the taxable year. For purposes of this subsection, a taxpayer's State and local educational income tax deduction benefit for the taxable year is the amount by which (A) the tax imposed by this chapter on the taxpayer for the taxable year is less than (B) the tax which would be so imposed if the qualified State and local educational income taxes were not allowable as a deduction under section 164.

**"(c) DEFINITIONS.**—For purposes of this section—

**"(1) STATE AND LOCAL EDUCATIONAL INCOME TAXES.**—The terms 'State educational income tax' and 'local educational income tax' mean (A) an income tax imposed by a State or a political subdivision of a State, as the case may be, the proceeds of which may be used only for educational purposes or (B) a specified portion or percentage of an income tax imposed by a State or a political subdivision of a State, as the case may be, which portion or percentage may be used only for educational purposes.

**"(2) QUALIFIED STATE AND LOCAL EDUCATIONAL INCOME TAXES.**—The terms 'qualified State educational income tax' and 'qualified local educational income tax' mean, with respect to taxes imposed during a fiscal year of a State or political subdivision, a State edu-

cational income tax or local educational income tax, as the case may be, with respect to which the Secretary of Health, Education, and Welfare has certified to the Secretary or his delegate that—"(A) the per-pupil expenditures for educational purposes made by the State or political subdivision imposing the tax during the most recent fiscal year for which statistics are available were not less than the per-pupil expenditures for educational purposes made by that State or political subdivision during its fiscal year ending in 1972, and "(B) the portion of the total expenditures for educational purposes made by the State or political subdivision imposing the tax during such most recent fiscal year which was attributable to revenues from taxes on real property is less than the portion of the total expenditures for educational purposes made by that State or political subdivision during its fiscal year ending in 1972 which was attributable to revenues from taxes on real property.

**"(3) EDUCATIONAL PURPOSES.**—The term 'educational purposes' includes the acquisition of land and the construction and acquisition of facilities to be used for educational purposes and the payment of interest on, and retirement of principal of indebtedness incurred for such purposes.

**"(d) SPECIAL RULES.**—For purposes of this section—

**"(1) TAXES ON PARTNERSHIPS.**—Qualified state or local educational income taxes imposed on and paid by a partnership shall be treated as imposed on and paid by each partner in an amount equal to his distributive share of such taxes.

**"(2) TAXES ON SUBCHAPTER'S CORPORATION.**—Qualified State or local educational income taxes imposed on and paid by an electing small business corporation (as defined in section 1371) shall be treated as imposed on and paid by, pro rata, the persons who are shareholders of such corporation on the last day of its taxable year.

**"(3) TAX IMPOSED BY THIS CHAPTER.**—The tax imposed by this chapter for any taxable year does not include the tax imposed by section 56 (relating to minimum tax for tax preferences).

**"(e) ADJUSTMENT FOR REFUNDS.**—

**"(1) IN GENERAL.**—The amount of qualified State and local educational income taxes imposed on and paid by an individual during any taxable year shall be reduced by the amount of any refund of such taxes, whether or not received during the taxable year.

**"(2) INTEREST.**—In the case of underpayment of the tax imposed by this chapter for a taxable year resulting from the applica-

tion of paragraph (1), no interest shall be assessed or collected on such underpayment if the amount thereof is paid within 60 days after the taxpayer receives the refund of qualified State or local educational income taxes which caused such underpayment.

**"(f) REGULATIONS.**—The Secretary or his delegate shall prescribe such regulations as may be necessary to carry out the purposes of this section."

**SEC. 2. (a)** The table of sections for subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 is amended by striking out the item relating to section 42 and inserting in lieu thereof the following:

**"SEC. 42. State and local educational income taxes.**

**"Sec. 43. Overpayments of tax."**

**(b)** Section 37 (a) of such Code (relating to retirement income is amended by striking out "and section 35 (relating to partially tax-exempt interest)" and inserting in lieu thereof "section 35 (relating to partially tax-exempt interest), and section 42 (relating to State and local educational income taxes)".

**(c)** Section 41(b) of such Code (relating to contributions to candidates for public office) is amended by striking out "and section 38 (relating to investment in certain depreciable property)" and inserting in lieu thereof "section 38 (relating to investment in certain depreciable property), and section 42 (relating to State and local educational income taxes)".

**(d)** Section 46(3) of such Code (relating to liability for tax) is amended—

**(1)** by striking out "and" at the end of subparagraph (B);

**(2)** by striking out the period at the end of subparagraph (C) and inserting in lieu thereof "and"; and

**(3)** by inserting after subparagraph (C) the following new subparagraph:

**"(D)** section 42 (relating to State and local educational income taxes)."

**(e)** Section 50A(a)(3) (relating to liability for tax) is amended—

**(1)** by striking out "and" at the end of subparagraph (D);

**(2)** by striking out the period at the end of subparagraph (E) and inserting in lieu thereof "and"; and

**(3)** by inserting after subparagraph (E) the following new subparagraph:

**"(F)** section 42 (relating to State and local educational income taxes)."

**SEC. 3.** The amendments made by this Act shall apply to taxable years beginning after December 31, 1972.

**IMPACT ON STATE AND LOCAL GOVERNMENTS OF THE EDUCATIONAL INCOME TAX CREDIT<sup>1</sup>**

[Thousands of dollars]

States	Estimated distribution of Federal individual income tax receipts, fiscal year 1972 <sup>2</sup>	State individual income tax collections, fiscal year 1972 <sup>3</sup>	State and local income tax under 50 percent credit proposal <sup>4</sup>	Gain to States under 50-percent tax credit proposal <sup>5</sup>	States	Estimated distribution of Federal individual income tax receipts, fiscal year 1972 <sup>2</sup>	State individual income tax collections, fiscal year 1972 <sup>3</sup>	State and local income tax under 50 percent credit proposal <sup>4</sup>	Gain to States under 50-percent tax credit proposal <sup>5</sup>
Alabama.....	1,044,646	118,994	501,430	382,436	Louisiana.....	1,184,546	105,354	568,582	463,228
Alaska.....	182,066	39,112	87,392	48,280	Maine.....	312,301	28,179	149,904	121,725
Arizona.....	820,915	94,577	394,039	299,462	Maryland.....	2,277,089	456,854	1,093,003	636,149
Arkansas.....	538,241	70,150	258,356	188,206	Massachusetts.....	3,027,731	743,628	1,453,311	709,683
California.....	9,726,446	1,838,503	4,668,694	2,830,191	Michigan.....	4,555,928	726,287	2,186,845	1,460,558
Colorado.....	1,053,313	174,269	505,590	331,321	Minnesota.....	1,519,130	483,215	729,182	245,967
Connecticut.....	2,001,863	60,968	960,894	899,926	Mississippi.....	484,405	54,655	232,514	177,859
Delaware.....	344,019	90,688	165,129	74,441	Missouri.....	2,054,735	254,063	986,273	732,210
District of Columbia.....	441,286	117,074	211,817	94,743	Montana.....	227,899	68,082	109,392	41,310
Florida.....	3,289,620	(7)	1,579,018	1,579,018	Nebraska.....	563,115	54,170	270,295	216,125
Georgia.....	1,734,148	239,900	832,391	592,491	Nevada.....	311,983	(7)	149,752	149,752
Hawaii.....	424,839	120,063	203,923	83,860	New Hampshire.....	333,467	6,618	160,064	153,446
Idaho.....	243,311	50,191	116,789	66,598	New Jersey.....	4,375,479	23,258	2,100,230	2,076,972
Illinois.....	6,367,464	843,251	3,056,383	2,213,132	New Mexico.....	325,228	44,088	156,109	112,021
Indiana.....	2,373,090	283,669	1,139,083	855,414	New York.....	10,408,234	2,516,257	4,995,952	2,479,695
Iowa.....	1,047,446	202,158	502,774	300,616	North Carolina.....	1,761,641	361,816	845,588	483,772
Kansas.....	897,742	95,345	430,916	335,571	North Dakota.....	164,350	19,506	78,888	59,382
Kentucky.....	1,061,103	156,369	509,329	352,960					



States	Estimated distribution of Federal individual income tax receipts, fiscal year 1972 <sup>2</sup>	State individual income tax collections, fiscal year 1972 <sup>3</sup>	State and local income tax under 50 percent credit proposal <sup>4</sup>	Gain to States under 50-percent tax credit proposal <sup>5</sup>	States	Estimated distribution of Federal individual income tax receipts, fiscal year 1972 <sup>2</sup>	State individual income tax collections, fiscal year 1972 <sup>3</sup>	State and local income tax under 50 percent credit proposal <sup>4</sup>	Gain to States under 50-percent tax credit proposal <sup>5</sup>
Ohio.....	5,144,368	111,269	2,469,297	2,358,028	Utah.....	365,833	74,096	175,600	101,504
Oklahoma.....	895,123	97,759	429,659	331,900	Vermont.....	153,260	46,102	73,565	27,463
Oregon.....	924,123	251,226	443,579	192,353	Virginia.....	2,205,927	365,379	1,058,845	693,466
Pennsylvania.....	5,524,689	730,641	2,651,851	1,921,210	Washington.....	1,536,375	(7)	737,460	737,460
Rhode Island.....	410,198	66,416	196,895	130,479	West Virginia.....	633,880	89,152	304,262	215,110
South Carolina.....	791,535	127,708	379,937	252,229	Wisconsin.....	1,834,674	594,697	880,644	285,947
South Dakota.....	169,932	(7)	81,567	81,567	Wyoming.....	150,902	(7)	72,443	72,433
Tennessee.....	1,480,265	13,598	710,527	696,929					
Texas.....	4,679,031	(7)	2,245,935	2,245,935	Total <sup>6</sup> .....	94,378,934	13,109,354	45,301,887	32,192,533

<sup>1</sup> Under the proposal there would be a credit against the Federal individual income tax equal to 50 percent of State and local income taxes paid but not to exceed a combined total of 24 percent of Federal individual income tax liability. The credit, when added to the taxpayer's State and local individual income tax deduction benefit would not exceed the amount of State and local individual income taxes paid.

<sup>2</sup> The distribution of the total Federal individual income tax among the States is based on the distribution of calendar year Federal individual income tax liability among the States as found in Statistics of Income.

<sup>3</sup> State tax collections in fiscal year 1972. GF72 No. 1, Bureau of the Census.

<sup>4</sup> 48 percent of the estimated Federal individual income tax in col. (1). This is the minimum

State and local educational income tax that would bring into play the maximum allowable credit under the proposal of 24 percent of the Federal individual income tax.

<sup>5</sup> Col. (3) minus column (2). These figures represent the excess of State and local "educational income taxes" levied at 48 percent of the Federal income tax over actual State income taxes. If reduced by the amount of actual local income taxes, these figures would represent the amount of additional State and local income taxes available for educational purposes under the proposal if the existing income taxes are assumed also to be used for educational purposes.

<sup>6</sup> Estimated by the staff of the Joint Committee on Internal Revenue Taxation.

<sup>7</sup> Not applicable.

By Mr. WILLIAMS (for himself, Mr. CASE, Mr. CRANSTON, Mr. GRAVEL, Mr. HART, Mr. HUGHES, Mr. MATHIAS, Mr. MOSS, Mr. MUSKIE, and Mr. PELL):

S.J. Res. 151. A joint resolution establishing a Commission on United States participation in the United Nations. Referred to the Committee on Foreign Relations.

Mr. WILLIAMS. Mr. President, I introduce a joint resolution creating the Commission on U.S. participation in the United Nations on behalf of myself and Senators CASE, CRANSTON, GRAVEL, HART, HUGHES, MATHIAS, MOSS, MUSKIE, and PELL.

We introduce this measure for consideration in this Congress because we believe that now, more than in any previous time since the founding of the United Nations, it is absolutely imperative that we realistically assess the role of the U.N. in the international community and what we, through our participation in that organization, can do to insure a future of dignity and security for all of the world's peoples.

On July 9, 1970, President Nixon established the President's Commission for the Observance of the 25th Anniversary of the United Nations. This commission of distinguished Americans, led by the Honorable Henry Cabot Lodge and including such distinguished Members and former Members of Congress as Senators AIKEN, FULBRIGHT, SPARKMAN, Hickenlooper and Cooper and Representatives Lloyd and MORGAN, conducted a comprehensive, nationwide inquiry into a broad spectrum of vital questions concerning U.S. participation in the United Nations. The Commission elicited the views and recommendations of numerous individuals and organizations and, consequently, accumulated a massive amount of significant information related to this vital area of our national interest. A working group, under the leadership of Dean Francis O. Wilcox of the School of Advanced International Studies of the Johns Hopkins University, spent long hours evaluating testimony and analyzing data. Dr. Gerald J. Mangone, Executive Director of the President's Commission, and Miss Anne P. Simmons, Director of Research,

contributed their unique qualifications to heading up a small staff which worked diligently on this project.

The product of the assiduous efforts of the Commission members and staff was the so-called Lodge Commission report, submitted on April 28, 1971. This report discussed a variety of issues of vital importance to the United Nations and its member states. A total of 96 specific recommendations subsumed under the general headings of "Peace, Security, and Strengthening of International Law," "Economic, Social, and Environmental Issues," and "Organizational and Structural Reforms: U.S. and the U.N." were embodied in the report.

The point which I wish to emphasize, Mr. President, is that countless hours of devoted effort and concern have already been dedicated to this important matter. We cannot afford to allow them to go to waste by lack of attention and concern on our part. This body, in my view, has a standing commitment, made when the Senate overwhelmingly ratified the U.N. Charter, to do all in its power to insure that the constant challenge of seeking a peaceful and secure world is met effectively and intelligently. The impressive and constructive work of the Lodge Commission has provided us with a significant opportunity to make progress toward fulfilling that commitment. It is an opportunity which the times and our conscience demand we exploit. The technology of transportation and communication and the increasing integration of the international economic and social system has, in many important areas, served to merge the fate of all the world's people into one. The international order is, indeed, becoming a community in reality, as well as in name. The hope for world order and justice under law is far too precious and vital to the common welfare of all the world's peoples to neglect any possible avenue of action that could, potentially, serve to increase the effectiveness of the United Nations, the organization that best embodies the hopes of the international community.

Mr. President, if this Nation and its leaders are to effectively participate in the improvement and modernization of the United Nations and to actively help

it realize its yet unfulfilled potential as an instrument of international peace and justice, we must do all that we can to dramatize and to expand the American role in the organization and its specialized agencies. Our national interest demands that we do so. We must invigorate the machinery which could effectively guarantee the sanctity of international contract obligations, justice in the peaceful adjudication of international disputes, humanity in the enforcement of human rights, and equity in the distribution of the world's natural resources.

Mr. President, the sponsors of this joint resolution believe that the creation of a permanent congressional-citizen commission to focus attention on the activities of the U.N., its specialized agencies and the World Court would go far to implement more effective U.S. participation in these most vital international organizations. It is simply an unfortunate matter of fact that the present piecemeal approach, by Congress and the executive branch, to the pressing issues pertaining to our participation in the U.N. and its agencies and affiliates is inadequate. We urgently need an agency which is removed from the inevitable pressures of decisionmaking and legislating which can take a more dispassionate approach to assessing problems and policies in this vital area. The administration position that time-to-time ad hoc arrangements would suffice is, in my view, totally inadequate and not consistent with our experience of 27 years.

Mr. President, this joint resolution would create such a body and, consequently, serve to fulfill a need which is most essential to our national interest. It is my hope that the Congress and the President will act promptly to establish and man this commission.

#### ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

S. 371

At the request of Mr. TOWER, the Senator from North Carolina (Mr. HELMS) was added as a cosponsor of S. 371, a bill to provide that certain provisions of the Natural Gas Act relating to rates and charges shall not apply to persons engaged in the production or gathering and

sale but not in the transmission of natural gas.

S. 386

At the request of Mr. WILLIAMS, the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 386, the Emergency Commuter Relief Act.

S. 554

Mr. SCOTT of Virginia. Mr. President, I ask unanimous consent that the Senator from Nebraska (Mr. HRUSKA) and the Senator from North Carolina (Mr. HELMS) be added as cosponsors of S. 554, a bill protecting the free choice of individual employees to join or assist labor unions or to refrain from such activities, rather than to S. 544, as previously reported in the CONGRESSIONAL RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 569

At the request of Mr. TOWER, the Senator from North Carolina (Mr. HELMS) was added as a cosponsor of S. 569, a bill to provide that persons from whom lands are acquired by the Secretary of the Army for dam and reservoir purposes shall be given priority to lease such lands in any case where such lands are offered to lease for any purpose.

S. 614

At the request of Mr. CURTIS, the Senator from North Carolina (Mr. HELMS) was added as a cosponsor of S. 614, a bill to amend titles X and XVI of the Social Security Act to prohibit any State from imposing a lien on a blind individual's property as a condition of aid or assistance thereunder.

S. 1295

At the request of Mr. TOWER, the Senator from North Carolina (Mr. HELMS) was added as a cosponsor of S. 1295, a bill to provide a tax credit for expenditures made in the exploration and development of new reserves of oil and gas in the United States.

S. 1424

At the request of Mr. SCHWEIKER, the Senator from North Carolina (Mr. HELMS) was added as a cosponsor of S. 1424, a bill to provide certain benefits for members of the Armed Forces and civilian employees of the United States who were in a missing status for any period of time during the Vietnam conflict.

S. 1535

At the request of Mr. BELLMON, the Senator from North Carolina (Mr. HELMS) was added as a cosponsor of S. 1535, a bill to amend the Internal Revenue Code of 1954 to provide for the recovery of reasonable attorneys' fees as a part of court costs in civil actions involving the internal revenue laws.

S. 1550

At the request of Mr. TOWER, the Senator from North Carolina (Mr. HELMS) was added as a cosponsor of S. 1550, a bill to provide tax incentives to encourage physicians, dentists, and optometrists to practice in physician-shortage areas.

S. 1982

At the request of Mr. TOWER, the Senator from North Carolina (Mr. HELMS) was added as a cosponsor of S. 1982, a bill to amend title II of the Social Security Act to increase to \$3,000 the annual amount which individuals may earn without suffering deductions from benefits on account of excess earnings, and to lower from 72 to 70 the age after which deductions on account of excess earnings are no longer made.

S. 2029

At the request of Mr. WILLIAMS, the Senator from South Dakota (Mr. ABOUREZK) was added as a cosponsor of S. 2029, a bill to provide assistance for Vietnamese children.

S. 2179

At the request of Mr. WILLIAMS, the Senator from California (Mr. CRANSTON) was added as a cosponsor of S. 2179, the demonstration loan program for the elderly.

S. 2241

At the request of Mr. HUMPHREY, the Senator from Illinois (Mr. STEVENSON) was added as a cosponsor of S. 2241, a bill to provide famine and disaster relief to the countries of the African Sahel.

S. 2328

At the request of Mr. MCINTYRE, the Senator from Delaware (Mr. BIDEN) and the Senator from Rhode Island (Mr. PASTORE) were added as cosponsors of S. 2328, a bill to require that certain information about gasoline be disclosed to consumers.

#### SENATE JOINT RESOLUTION 84

Mr. SCHWEIKER. Mr. President, I ask unanimous consent that the Senator from West Virginia (Mr. ROBERT C. BYRD) be added as a cosponsor of Senate Joint Resolution 84, the school prayer amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHWEIKER. Mr. President, this raises to 21 the number of cosponsors of this measure. The list of cosponsors is as follows: Senator EASTLAND, Senator BAKER, Senator PASTORE, Senator SCOTT of Pennsylvania, Senator CANNON, Senator RANDOLPH, Senator COOK, Senator MCCLURE, Senator CHILES, Senator TALMADGE, Senator BENNETT, Senator MANSFIELD, Senator CURTIS, Senator FANNIN, Senator MCCLELLAN, Senator FONG, and Senator ROBERT C. BYRD.

#### SENATE JOINT RESOLUTION 17

At the request of Mr. INOUYE, the Senator from North Carolina (Mr. HELMS) was added as a cosponsor of Senate Joint Resolution 17, to authorize and request the President of the United States to issue a proclamation designating September 17, 1973, as "Constitution Day."

#### SENATE JOINT RESOLUTION 147

At the request of Mr. MCINTYRE, the Senator from Rhode Island (Mr. PASTORE), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Alaska (Mr. GRAVEL), and the Senator from Virginia (Mr. SCOTT) were added as cosponsors of S. J. Res. 147, to provide for a report on People's Republic of China grain purchase.

#### SENATE RESOLUTION 163—SUBMISSION OF A RESOLUTION AUTHORIZING THE PRINTING OF THE REPORT ENTITLED "THE COST OF CLEAN AIR" AS A SENATE DOCUMENT

(Referred to the Committee on Rules and Administration.)

Mr. RANDOLPH submitted the following resolution:

S. RES. 163

Resolved, That the annual report of the Administrator of the Environmental Protection Agency to the Congress of the United States (in compliance with Public Law 91-604, The Clean Air Act, as amended), entitled "The Cost of Clean Air," be printed, with illustrations, as a Senate document.

Sec. 2. There shall be printed one thousand five hundred (1,500) additional copies of such document for the use of the Committee on Public Works.

#### SENATE RESOLUTION 164—SUBMISSION OF A RESOLUTION RELATING TO THE SELECT COMMITTEE ON CAMPAIGN ACTIVITIES

(Referred to the Committee on Rules and Administration.)

##### VITAL ISSUES FACING AMERICA

Mr. DOLE. Mr. President, America is presently facing serious challenges within our borders and throughout the world.

At home inflation is an immediate concern of every housewife, wage earner, and person living on a fixed or limited income. Mortgage and interest rates have reached the point where the average citizen simply cannot afford to buy a home, the great homebuilding industry is nearly paralyzed, and it does not make economic sense for small businessmen to borrow for expansion. Fuel shortages and power cutbacks have hit both rural and urban residents, and the traveling public is seldom sure whether the next gasoline pump will be open or dry.

In the international arena, the devalued dollar fluctuates unpredictably while worldwide confidence in the strength of the U.S. economy continues to waver. A sensitive and crucial new round of multilateral trade and tariff negotiations begins this month with America facing a dramatically changed alignment of the major free world economic powers. Serious questions dealing with the post-Vietnam posture of our country have been raised with respect to troops stationed abroad, disarmament and treaty relationships with our allies.

All these questions and many others command the attention and will tax the ingenuity, resourcefulness, and problem-solving capacity of the United States. Some of these problems are unique. Some are persistent hangers-on from earlier years, but all are serious and important. And the answers, solutions, and approaches which we formulate in response to them will affect our lives and the well-being of this Nation for many years into the future.

During the August recess, I traveled extensively in Kansas to visit with the people, learn of their concerns, their ideas, and their views. My travels took me to some 40 or 50 cities and towns, and I en-



joyed the privilege of seeing many hundreds of Kansans from every walk of life.

#### IMPORTANT CONCERNS

And I can report to the Senate that these people—men and women, young and old—are aware of and concerned with these many matters affecting their lives and their country. They want inflation brought under control. They want beef back in their supermarkets. They are worried about baling wire, boxcars, and LP gas. They have growing families and want to be able to buy new homes at sensible interest rates. They are trying to stretch their paychecks or their social security checks to cover the ever-expanding costs of taxes, food, clothes, and health care. They want a United States which has an adequate national defense and a reputation for leadership in the world.

In short, the people of Kansas—and those in many other States, I suspect—are busy with the business of living and are concerned with the important issues which touch them and the futures of their children. And while they devote themselves to this business, they look to Washington for signs that their Government, and especially their elected representatives, are facing these issues, attempting to answer their problems, and making serious efforts to deal with the subjects that mean something to the average citizen.

The people of Kansas are looking to Washington for all of these things, and by and large they do not like what they are seeing.

Night after night on the newscasts they look for congressional action to fight inflation—and they see Watergate.

Each morning they pick up the paper and look for progress against the fuel shortage—and they see Watergate.

They pick up a weekly news magazine to find a sign that the American dollar has been restored to a position of strength and stability on the international monetary front—and they see Watergate.

Watergate, Watergate—the word has lost nearly all of its significance as a crime, a scandal, or a national problem. Instead, it has come to stand for the longest running day- and night-time telethon in history.

#### OTHER PROBLEMS NEED ATTENTION

And to many citizens, the Watergate hearings represent the total effort of the Congress over the past several months. With hundreds of newsmen, photographers, and TV crews grinding away hour-after-hour, day-after-day, week-after-week it is no wonder. Of course, seven Senators are not the entire Senate or the whole legislative branch of Government. But with such intense, drawn-out and lengthy publicity, it is not surprising that many Americans have gained the impression that the whole Congress is glued to the tube, watching these proceedings, while the problems and concerns of the rest of the country are going unattended.

Of course, the entire Watergate affair is unprecedented. Serious matters are involved, and as I have said for some time, anyone who engaged in improper activi-

ties or who broke the law in relation to the original burglary or the coverup afterward should be brought before the law and dealt with according to the law.

I am not questioning or quarreling with the Senate's legitimate and proper interest in conducting its investigation. If laws were broken, new laws may be needed to prevent future Watergates.

#### PROPER PERSPECTIVE

But there are appropriate ways of doing this, and it seems to me that a proper perspective should be placed on the problems facing America—not only Watergate, but inflation, energy, food prices and, yes, baling wire and boxcars, too.

First of all, it should be remembered that the purpose of the hearings is to serve legislative interests. It is not to try, convict, and sentence Richard Nixon.

Second, it should be very carefully remembered that the rights of many individuals beside the President are involved. These individuals have very important rights, guaranteed by the Constitution, to fair trials, free from prejudicial publicity and free from unverified allegations and charges from so-called "sources." Lives, reputations, and careers can be hopelessly shattered by such exposure, and every citizen should be deeply concerned that every other individual's rights and freedoms are given the utmost protection.

If we should see trials of innocent individuals whose names have been blackened by the misdeeds of others, they must be guaranteed the opportunity to be vindicated on their day in court. No innocent person should be condemned to carry a reputation for the rest of his life because the judicial system could not assure him of an unbiased jury.

Third, we should keep in mind that the public has a legitimate interest in seeing the guilty brought to justice. One of our basic principles is that "crime does not pay." And I would regret seeing the publicity and furor of the Watergate hearings resulting in a single guilty party going free in court because he could not receive a fair trial.

So there are these three considerations—the fact that the select committee is charged with a legislative inquiry, not an inquisition of the President; The fragile and vital rights of many other individuals who have been swept up in the whole Watergate disaster; and society's interest in seeing the guilty brought to justice.

#### TURN TO OTHER BUSINESS

Taking these points together, along with the general public attitude toward the hearings and the recent performance of Congress, I have come to feel it is time to put on the brakes.

It is time to turn off the TV lights. It is time to move the Watergate investigation from the living rooms of America and put it where it belongs—behind the closed doors of the committee room and before the judge and jury in the courtroom.

And it is time to turn the full energies and attention of Congress back to the concerns held by most citizens.

#### NEED TO RESTORE CONFIDENCE

This country has developed a great problem-solving system. It has worked in

the past. It is working now. But there is some public doubt and lack of confidence that it is working as well as it should. And this mood is closely tied to the frenzy over Watergate.

And I believe the Congress has a responsibility to demonstrate to the people that their concerns are the concerns of Congress and that Congress is making serious efforts to deal with them. Of course, we can quote statistics showing that the Senate has had so many rollcall votes and passed x-number of bills and met for however many days this year. But as long as the hearings go on—under the bright lights of the television cameras, with page after page in the newspapers and magazines and in story after story on the evening newscasts—the public is going to continue to harbor this impression of a do-nothing fiddle-while-Rome-burns Congress.

We must get on with the country's work. Time and the rest of the world will not stand still while America squeezes the last drop of anguish and printer's ink out of Watergate.

We must look at the present and to the future. We cannot dwell on or in the past if America is to fulfill its commitments to the principles which our founding fathers set forth some 200 years ago.

Just yesterday, the Washington Post, noting that "bills awaiting final action far outnumber those enacted," mentioned the following measures which still require consideration by the House or Senate, or both; aid to education, foreign aid, campaign finance reform, voter registration, trade reform, Alaska pipeline, land use policy, no-fault insurance, Federal housing program, Congressional budget mechanism, legal services, aid to North Vietnam, several appropriations bills.

Also worthy of listing would be tax reform, reform of the private pension system and strip mining control.

Of course, those of us in Washington realize that the legislative process is slow and often rather unwieldy. But it is not difficult to understand the feelings of the average citizen when he sees such an "unfinished" congressional laundry list in light of the marathon Watergate hearings.

It is rather the same situation as the parent of a college student, who, after hearing about all the great parties and other extracurricular activities, receives a set of mid-term grades which reflect more attention to the frills of college life than to the academic necessities.

So I believe it is time to turn the excitement and publicity and attention away from Watergate and toward such subjects as the energy crisis, the size of the budget and Congress' methods of dealing with it, interest rates, trade policy and the many other matters being faced each day by the people of Kansas and every other State. It may not be quite as glamorous. It may not make such good and colorful news. The basic matters of life and business seldom are sensational and colorful. But they are important. They are vital. And we must deal with them if the country is to continue to move ahead domestically and internationally.

Therefore, I am today introducing a resolution to end the publicity-laden phase of the Watergate hearings.

I would emphasize that this resolution is in no way intended to interfere with the Senate's right to probe the 1972 presidential campaign. It is not intended to cast any shadow of disapproval or criticism on the manner in which the select committee has conducted its proceedings to date.

It is not intended to interfere with the right of the news media to report on the activities of the committee or on the issues surrounding the Watergate matter.

#### SPECIFIC PURPOSES

Rather, it is intended to permit the select committee to pursue the execution of the mandate bestowed by Senate Resolution 60 full and completely. This mandate is to serve the legislative interests of the Senate by studying the 1972 campaign and formulating any recommendations it deems appropriate to deal with whatever abuses, statutory lapses, or policy reforms are disclosed in the course of its investigation. The television screen, the magazine cover, and the headline are not essential to this task.

It is also intended to safeguard the rights of the innocent as well as the public's interest in seeing the guilty brought to justice by ending the sensational wave of publicity over the charges, accusations, alibis, confessions, and other assorted publicity growing out of the Watergate hearings. We have an excellent, competent, and dedicated judicial branch whose functions should not be even remotely impeded by the glare of unnecessary congressional publicity.

And, finally, this resolution is intended to provide an indication to the American people that the Congress is turning away from this consuming preoccupation with Watergate and directing its energies and abilities toward the issues which the American people feel are most important.

#### BIGGER ISSUES

I offer this amendment free from any narrow partisanship. The legislative interests of Congress, the Constitution's guarantees of individual freedoms and fair trials, society's stake in the effective enforcement of the laws stretch far beyond the bounds of any single party or political philosophy.

So, too, inflation, the energy crisis, the strength of the dollar and the future of the United States as a great world power are bigger and more important than the continuation of massive publicity over Watergate.

Mr. President, I urge that this resolution receive prompt consideration and favorable approval by the Senate as signal to the American people that the Congress recognizes the priorities of the issues facing the country and is prepared to deal with them in a business-like and responsible fashion.

The resolution (S. Res. 164) is as follows:

Whereas, the United States is engaged in a crucial period of dealing with domestic and international challenges;

Whereas, the impact of inflation is a serious concern to older citizens, working men and women, the business community, and governments at federal, state and local levels;

Whereas, energy, its sources, utilization, conservation and study, embody areas of profound importance to the future of this

nation and the other countries of the world; Whereas, assuring the availability of plentiful and wholesome foods and other agricultural products at reasonable prices, for use in this country and in sales abroad, is a primary responsibility of government;

Whereas, the strength of the American economy in the international arena requires a sound, effective and progressive foreign trade policy;

Whereas, other matters involving the national defense, the size and scope of the federal budget, preservation of the environment and a broad range of social, economic, and human concerns require the serious and studied attention of the federal government; and

Whereas, the Senate is mindful of these matters as well as its legitimate interest in pursuing a full and unfettered inquiry into any illegal, improper or unethical activities engaged in by any persons, acting individually or in combination with any others in the Presidential Election of 1972, or in any campaign, canvass, or other activity related to it; Therefore, be it

*Resolved*, That notwithstanding the provisions of Senate Resolution 60, 93d Congress agreed to February 7, 1973, or any rule of the Senate, the Select Committee on Presidential Campaign Activities, established pursuant to such resolution, shall not conduct any hearings or receive any testimony or evidence, on or after the date this resolution is agreed to by the Senate, except in executive session of the committee or any subcommittee of the committee.

#### SENATE RESOLUTION 165—SUBMISSION OF A RESOLUTION TO REFER S. 2379 TO THE COURT OF CLAIMS

(Referred to the Committee on the Judiciary.)

Mr. SCOTT of Pennsylvania submitted the following resolution:

S. RES. 165

*Resolved*, That the bill S. 2379 entitled "A bill for the relief of the H. and H. Manufacturing Company, Incorporated", now pending in the Senate, together with all the accompanying papers, is hereby referred to the Chief Commissioner of the United States Court of Claims; and the Chief Commissioner shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28, United States Code, and report thereon to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States or a gratuity and the amount, if any, legally or equitably due from the United States to the claimant.

#### ADDITIONAL COSPONSORS OF A RESOLUTION

SENATE RESOLUTION 155

At the request of Mr. HARTKE, the Senator from Hawaii (Mr. INOUE), the Senator from South Dakota (Mr. McGOVERN), and the Senator from California (Mr. TUNNEY) were added as cosponsors of Senate Resolution 155, a resolution expressing Senate opposition to atmospheric nuclear explosions by France.

#### ADDITIONAL COSPONSORS OF A CONCURRENT RESOLUTION

SENATE CONCURRENT RESOLUTION 41

At the request of Mr. TOWER, the Senator from Idaho (Mr. McCURE), the

Senator from North Dakota (Mr. YOUNG), the Senator from Tennessee (Mr. BROCK), the Senator from New Hampshire (Mr. COTTON), and the Senator from North Carolina (Mr. HELMS) were added as cosponsors of Senate Concurrent Resolution 41, establishing the policy of the United States vis-a-vis the Democratic Republic of North Vietnam and the Provisional Revolutionary Government.

#### FOREIGN ASSISTANCE ACT OF 1973—AMENDMENTS

AMENDMENTS NOS. 462 AND 463

(Ordered to be printed and to lie on the table.)

Mr. ABOUREZK submitted two amendments intended to be proposed by him to the bill (S. 2335) to amend the Foreign Assistance Act of 1961, and for other purposes.

#### MILITARY SPECIAL PAY LEGISLATION—AMENDMENTS

AMENDMENTS NOS. 464 AND 465

(Ordered to be printed and referred to the Committee on Armed Services.)

#### SPECIAL PAY FOR MILITARY OPTOMETRISTS

Mr. GOLDWATER. Mr. President, for the Senator from Texas (Mr. TOWER) and myself, I am submitting today two amendments to military special pay legislation which are aimed at helping to preserve the proper balance of health care for service men and women and their dependents during this difficult transition period from a military draft to an all-volunteer service. There are two excellent bills that are before our Senate Armed Services Committee on the subject of the special pay structure for certain professions and skills among the uniformed services, S. 368, by the Senator from Vermont (Mr. STAFFORD) and S. 2329, by the Senator from Texas (Mr. TOWER). Basically, these bills are designed to assure an adequate enlistment and reenlistment of specially skilled persons into the Armed Forces after the induction authority, which has not been utilized in recent months, expires totally on June 30.

Mr. President, traditionally, the most difficult officer groups to obtain for the military services has been that of the health care professionals due to the very high earnings available to young specialists in this field of civilian life. This is why I was surprised to discover that both S. 368, of which I am a cosponsor, and S. 2329, which is a more limited version of the other bill, do not specifically include one of the three major health professional occupations, the optometrists, for purposes of the special pay provisions of the legislation. After checking with the offices of the two prime sponsors of these bills, I have learned that this was not an intentional result of the authors but rather a technical gap in the drafting of the language of these bills.

I am informed that neither sponsor of the two bills involved has any objection to the specific inclusion of optometrists in their bills, and in fact, Senator Tower has asked to become a cosponsor of each of my amendments which would clarify



the congressional intent to continue coverage of optometrists in the special pay structure of the military services.

The justification for continuing this coverage is strong. If optometrists were not to be expressly included as qualifying for special pay, they would be the only major health profession who has been subject to the "doctor draft" that would not be included in the special pay provision. It has to be recognized that since 1966 there have been at least four induction calls for optometrists in order to adequately staff the military services with optometry officers. Indeed, in 1970, optometrists were the only health care professionals drafted. This fact alone is ample evidence that the problem the military faces in obtaining and retaining sufficient optometrists is equally as great, if not greater, than it is in the case of doctors and dentists. I would remind my colleagues that young civilian optometrists can expect to earn approximately \$30,000 annually early in their careers, which is comparable with the salaries available for civilian dentists as well. So the same financial attraction of a civilian career which draws young dental specialists into private practice affects the optometrist, too.

To make this short, Mr. President, I will only add that Congress made an emphatic decision to provide special pay for optometrists in 1971 and that there is every reason why it should be maintained in the future as we move into the all-volunteer stage. Obviously, vision and eye care must continue to be included within the total system of comprehensive health care offered to military personnel and their families and the only way this kind of care can be guaranteed to be available is by continuing the salary levels for this short supply field which will enable the military to effectively compete with the civilian sector.

Mr. President, I ask unanimous consent that the text of the amendments which I am submitting be printed in the RECORD.

There being no objection, the amendments were ordered to be printed in the RECORD, as follows:

**AMENDMENT No. 464, INTENDED TO BE PROPOSED TO S. 368**

On page 1, line 10, immediately after "Dental Corps," insert "an optometrist in the Medical Services Corps,".

On page 2, strike out line 1 and substitute: "as a medical officer, dental officer, or optometry officer, or a medical, dental, or optometry".

**AMENDMENT No. 465, INTENDED TO BE PROPOSED TO S. 2329**

On page 1, line 10, immediately after "Dental Corps," insert "an optometrist in the Medical Service Corps,".

On page 2, strike out line 1 and substitute: "as a medical officer, dental officer, or optometry officer, or a medical, dental, or optometry".

On page 2, line 23, strike out "or" and substitute a comma.

On page 2, line 24, immediately after "dental" insert a comma and "or optometry".

**NOTICE OF HEARING ON S. 1923 AND S. 2299**

Mr. MUSKIE. Mr. President, I would like to announce that the Subcommittee

on Intergovernmental Relations, of the Committee on Government Operations, will hold 1 day of hearings on S. 1923, a bill to amend the Legislative Reorganization Act of 1970 to provide that Federal agencies keep congressional committees fully and currently informed; and, S. 2299, a bill to provide authority to expedite procedures for consideration and approval of projects drawing upon more than one Federal assistance program, to simplify requirements for operation of those projects, and for other purposes.

The hearing will be held on September 11, 1973, beginning at 10 a.m. in room 1202 of the Dirksen Office Building.

Statements for inclusion in the hearing record will be accepted on both measures.

**RESCHEDULING OF HEARING RELATING TO MEAT INSPECTION**

Mr. ALLEN. Mr. President, on August 3 I announced that the Subcommittee on Agricultural Research and General Legislation of the Committee on Agriculture and Forestry would hold a hearing Tuesday, September 11, on S. 1919, a bill to authorize interstate shipment of meat inspected by State systems declared to be equal to the Federal meat inspection system. I wish to announce at this time that the hearing will be postponed until September 20. The hearing will begin at 9 a.m. on that date in room 324, Russell Office Building. Oral presentations will be limited to 10 minutes with the privilege of filing longer statements. Anyone wishing to testify should contact the committee clerk as soon as possible.

**ADDITIONAL STATEMENTS**

**DETENTION OF AMERICANS OF BALTIC DESCENT IN HELSINKI, FINLAND, DURING THE EUROPEAN SECURITY CONFERENCE**

Mr. BUCKLEY. Mr. President, increasing concern has been expressed here and in Europe over the possibility that the Soviet Union is engaged in a massive diplomatic offensive designed to consolidate its hegemony over Eastern Europe while disrupting the move toward unity with the NATO and Common Market nations. The Soviet's ultimate objective is toward the "Finlandization" of Europe. This would be brought about when in the face of overwhelming Russian military strength, and of their own disunity, the nations of Western Europe one by one seek an accommodation with the Soviet Union.

An example of what is to be "Finlandization" was recently brought to my attention when five Americans of Baltic extraction were tossed into jail by Finnish authorities at the request of the Soviet delegation to the recent Helsinki Conference on European Security and Cooperation. Their offense? One of them annoyed Andrei Gromyko with a question at a press reception.

Mr. President, I ask unanimous consent that there be printed in the RECORD a copy of a memorandum describing the incident prepared by Dr. Joseph K. Valiunas, one of the Americans who was involved. I also ask unanimous consent

that a report I received from the American Ambassador to Finland also be printed in the RECORD.

There being no objection, the statement and report were ordered to be printed in the RECORD, as follows:

**STATEMENT ON THE ACTIVITIES AND DETENTION OF AMERICANS OF BALTIC DESCENT IN HELSINKI, FINLAND, DURING THE EUROPEAN SECURITY CONFERENCE**

Most Western observers will concur that the Soviet Bloc and the West confronted each other in Helsinki during the 35-nation European Security Conference. The key controversy was over the freer movement of men and ideas. The arrest and brief detention of nine spokesmen of the Baltic World Conference dramatically demonstrated that the Soviet interpretation of European cooperation remained worlds apart from the views of the Western countries. The nine Balts were arrested upon the explicit demand by the Soviet Delegation.

Permit me to recapitulate the events that led up to and followed the arrest by Finnish authorities of the delegation sent by the Baltic World Conference to Helsinki, Finland.

The Baltic World Conference was established in 1972 in New York City for the express purpose of coordinating the activities of Estonian, Latvian, and Lithuanian political and civic institutions dedicated to the restoration of national sovereignty and political freedoms to the Baltic States, currently under Soviet domination. The three major groupings which form the basis of the Baltic World Conference are the Supreme Committee for Liberation of Lithuania, the World Federation of Free Latvians, and the Estonian National Council.

The Baltic World Conference sent a nine-man delegation to the European Security Conference. The delegation consisted of the following persons:

1. Dr. Joseph K. Valiunas, President of the Baltic World Conference and President of the Supreme Committee for Liberation of Lithuania, (U.S. citizen);
2. Uldis Grava, President of the World Federation of Free Latvians (U.S. citizen);
3. Ilmas Plier, V. President of the Estonian-American National Council, (U.S. citizen);
4. Georg Kahar, Estonian Central Council in Canada, (Canadian citizen);
5. Pauls Reinharas, President of the Latvian European Committee, (subject of Great Britain);
6. Dr. Aina Teivens, Latvian Council in Sweden, (subject of Sweden);
7. Egle Zilionis, Delegate of Baltic World Conference, (U.S. citizen);
8. Dr. Petras Vileisis, Representative of the Lithuanian Community of the USA, (U.S. citizen);
9. Dr. John Genys, Representative of the Lithuanian-American Council, (U.S. citizen).

The purpose of the Baltic mission was to present the Baltic case to the diplomats and journalists attending the Conference. This was to be attained by distributing information kits to the delegations and media, and by conferring personally with diplomats and journalists. The information kits contained a joint note drafted by the three Baltic delegations, an abbreviated version of a memorandum, submitted to the European Governments last November by the Supreme Committee for Liberation of Lithuania, and an invitation to a Baltic press conference planned for the 6th of July. Each national delegation also brought literature of an informative and legalistic nature, describing the present situation in Estonia, Latvia, and Lithuania.

None of the literature was of an inflammatory or demagogical nature. For example, the one-page memorandum of the Supreme Committee for Liberation of Lithuania focused on the following salient point:

"The European Conference on Security and

Cooperation represents Moscow's latest attempt to obtain international legalization of its annexation of Lithuania, Latvia, and Estonia. Today the attempt is cloaked with such phrases as 'normalization of the situation in Europe,' and 'territorial integrity of the states and inviolability of their frontiers.' Should the Western Powers accept the above formulae without duly qualifying them, the Soviet Government would interpret them as Western acquiescence in Soviet annexation."

In a word, the three Baltic delegations acting in unison attempted to convey the thought that the Western countries should use the European Conference as an opportunity to insist that the Government of the USSR honor its prewar commitments and pledges by withdrawing its armed forces and administrative apparatus from Estonia, Latvia, and Lithuania.

Arriving between July 1 and 4th, the nine Baltic spokesmen sojourned at the Inter-Continental Hotel, which housed most of the diplomats to the Conference. Three Latvians and one Lithuanian had valid credentials as newspaper representatives. This permitted them to enter the press gallery and observe the Conference in session. The others availed themselves of the opportunity to confer with newsmen and members of the delegations in the antechambers during recess.

On July 4th, forming four operational groups, the Balts visited most diplomatic delegations and embassies, at which time they submitted their information kits and memoranda. The contacts were formal and protocol was observed. The following day Miss Zilionis and Dr. Teivens distributed similar kits to the four hundred journalists and media people. It is not true that the Balts disseminated leaflets in Finnish in front of Finlandia Symphony Hall or at the entrance of the Inter-Continental Hotel. No scenes of disturbance occurred. All meetings were tactful. For example, Dr. Petras Vileisis went so far as to arrange a dinner engagement with the Canadian Secretary for External Affairs.

The efforts of the Baltic World Conference were thwarted as a result of a passing incident during the press reception held at the East German Embassy. On the evening of July 4th, Mr. Uldis Grava, Chairman of the Latvian contingent, was invited and attended the reception. In the course of the evening, he approached Sir Alec Douglas-Home, British Foreign Minister, and asked the latter why there were no diplomats of the three Baltic Republics at the Conference. Sir Alec allegedly replied: "Why do you ask me? Why don't you ask my colleague, Mr. Gromyko of the Soviet Union?" At first Mr. Andrei Gromyko mistook Mr. Grava for an underling of the USSR. Mr. Grava calmly, but in a loud voice, asked Mr. Andrei Gromyko why the Baltic question was not on the agenda. He explained that he represented the Baltic World Conference which was demanding freedom for Estonia, Latvia, and Lithuania. Seeing that Mr. Gromyko was evasive, he reiterated the statement: "The Baltic States must have full freedom." A number of guests were attracted by this dialogue. Whereupon Mr. Gromyko emphatically denied that the Soviet Union had forcibly occupied the Baltic States and submitted Mr. Grava to verbal abuse. He concluded his heated remarks in garbled English with the words: "The Baltic countries voluntarily joined the Soviet Union, and the Baltic States do not need any other freedoms!" Mr. Gromyko abruptly turned heel and stalked away.

Upon the request of the other Soviet officials, two East German security agents asked Mr. Grava to leave. He did so without incident. This brief tete-a-tete brought down the wrath of the Soviets upon the Baltic mission. The Soviet Delegation did not waste any time in drafting a stern note to the Finnish Government demanding the immediate ar-

rest of the Balts. In other words, the Soviets had the audacity to order a sovereign state to detain citizens of friendly powers because the latter's views were embarrassing to Moscow. And this was done during a conference devoted to international cooperation. It was a saddening experience to see the Finns submit to this diplomatic brow-beating.

On the morning of July 5th, Mr. Grava was arrested with Dr. Valiunas, the chairman. At approximately 10:30 a.m. three Finnish plainclothesmen knocked on his door, stating that they had a few questions. Upon entering, they noticed the piles of Baltic literature in the room. Dr. Valiunas permitted them to take samples. They did so and promptly informed the three Balts that they are under arrest. The threesome was conducted to a room where the Finnish security police had a stakeout to observe the hotel guests.

The officer in charge asked Dr. Valiunas why the Balts had come to the Conference. Dr. Valiunas countered with a question of his own: "Who made the decision to arrest the Balts? The Finnish Ministry of the Interior or the Ministry of Foreign Affairs?" The reply was: the Interior. Dr. Valiunas asked that he be permitted to inform the Finnish Foreign Ministry and the American Embassy about the arrests.

The arrested Balts were led out to Police Headquarters. In the hotel corridor, Dr. Valiunas bumped into Dr. Genys, who was still free. He asked in Lithuanian to inform Lithuanian circles in the United States that the three Baltic chairmen were arrested. Dr. Genys complied. He also chanced to meet Dr. Vileisis who was asked to inform Mr. J. Audenas of the Supreme Committee for Liberation of Lithuania about this development.

When the officers accompanying the Balts to Police Headquarters were asked why they were arrested, the reply was vague. The arresting officers stated that they did not know the reason. At Headquarters, Valiunas, Grava, Pleer and Kahar agreed to admit the truth about the Baltic World Conference's purpose in Helsinki because there was nothing to hide. They were interrogated individually by the Commissioner of Police. Within a short time, Mr. Terry Dale Hansen, Second Secretary to the U.S. Embassy in Helsinki, arrived on the scene to witness the questioning.

That same day, July 5th, the other five Balts were arrested. Dr. Vileisis was the last to be detained by the Finnish police and put in jail.

The interrogators asked if the Balts had distributed literature near the Finlandia Symphony Hall or by the entrance to the Inter-Continental Hotel. The reply was negative. The Balts explained that information kits had been personally distributed to the journalists and diplomats in the name of the Baltic World Conference. The Finnish Police Commissioner asked in what manner did the Foreign Ministers receive the material. The Balts answered that personal visits were made to each Embassy. It should be kept in mind, that at no time did the Commissioner state the reason for the arrests. He did not make any formal charges. However, he hinted that the length of detention was still indeterminate.

The Police Commissioner requested Dr. Valiunas, as President of the Baltic World Conference, to sign the statement of testimony recorded by the police. When the latter refused, arguing that he did not read Finnish and that it was unjust to try to force a man to sign a statement in a language unknown to him, the statement was signed by the Commissioner and the interpreter.

Thereupon the arrested Balts were informed that they would be conveyed to prison. They were permitted to take personal effects from their hotel rooms for overnight use. Eight of the arrestees were taken

to a prison in the suburbs of Helsinki. The prison officials confiscated the neckties, belts and shoelaces of the men, as was the procedure with convicts admitted.

The eight internees decided to go on a hunger strike as a sign of protest for this unfair internment without formal accusation. It must be remembered that they had not eaten since their apprehension. Each prisoner was locked in a narrow cement cell in solitary confinement. Their feelings were mixed with anxiety to say the least.

Unbeknownst to the arrestees, Estonian, Latvian and Lithuanian civic groups in the United States took action to secure the release of the nine. Senator James Buckley of New York and Congressman Edward Derwinski of Illinois contacted the White House and the State Department to ascertain the details of these arrests. Thanks to their efforts, Secretary of State William P. Rogers and Ambassador John Krebbel were cabled to intercede. Upon learning of the arrests, Secretary Rogers telephoned the Finnish Foreign Ministry and secured the promise that the U.S. citizens would be released.

At dawn, on July 6th, prison officials roused the eight arrestees and informed them that the American citizens could go to Hotel Marswy. When it was learned that their English, Swedish and Canadian colleagues were to remain in prison, the American citizens declared their moral solidarity with the other three, declaring that all eight were to go or no one would leave. This impressed the prison officials. About 8 a.m. all eight were taken to a hotel near the prison. They were offered a lavish breakfast, which was paid for by the Finnish guards who sympathized with them. However, the Balts refused to breakfast, maintaining their hunger strike until they were released. While at this hotel they were kept incommunicado before being brought back to prison.

In the end, the Police Commissioner appeared and informed them that they were free, but that they could not hold the press conference which was scheduled for the sixth, nor could they engage in "any political activities." Furthermore, their press credentials were voided and the reservations at the Inter-Continental Hotel were canceled. Thereupon they were taken to Hotel Marsky where they joined Dr. Vileisis who had been kept under false arrest and incommunicado at that hotel.

The parting gesture of the Balts took place on Sunday, July 8th. The representatives of the Baltic World Conference went to the Finnish Cemetery of Heroes and placed flowers with Finnish national colors on the monument of Marshal Mannerheim. This gesture had a positive effect on the Finns who observed this modest ceremony. At departure time, that afternoon, a high police official pressed Dr. Valiunas' hand and stated: "Mr. President, I apologize for what has happened. This was not the true sentiment of the Finnish people toward your cause. Please believe me!"

In conclusion, the representatives of the World Baltic Conference do not bear any malice toward the Finnish authorities. The fact of the matter is, that the Soviet Delegation disdained being reminded of the grim reality of the illegal Soviet occupation of Estonia, Latvia, and Lithuania. As a result, Finnish authorities were forced to heed the displeasure of their powerful neighbor, the Soviet Union. In evaluating the outcome of this first European Security Conference, one should reflect that the detention of six Americans and three Westerners of Baltic descent in Helsinki conflicts with the avowed American goal of a European continent open to the free flow of ideas and people.

New York, July 12, 1973.

JOSEPH K. VALIUNAS,  
President, Supreme Committee for Lib-  
eration of Lithuania.



AMERICAN EMBASSY,  
Helsinki, Finland, July 6, 1973.

## ARREST REPORT

The Finnish government was extremely conscious of security problems and possible political activity by ethnic groups during the Conference on Security and Cooperation in Europe because of the large number of important officials present. Of particular concern to Finnish authorities was the possibility of demonstrations or similar activities which might disrupt the Conference. As a result of this sensitivity, the Finnish police took into custody on July 5 six American citizens who they believed intended to distribute at the Conference copies of a memorandum setting forth their opposition to the incorporation of the Baltic states into the Soviet Union. Five of the Americans were members of the Baltic World Conference, a U.S.-based group advocating the independence of Lithuania, Latvia, and Estonia. In addition to the Americans, three other persons (Swedish, Canadian, and British) were taken into custody. The Finnish police informed the Embassy that the Americans were not under arrest and had not been charged with a crime, but were being held for questioning, a normal procedure under Finnish law.

An Embassy officer proceeded to the Helsinki police headquarters and interviewed the Americans involved. They explained that they had not intended to disrupt the Conference in any way, but considered it an appropriate forum for the presentation of their views. They said that they had sent copies of their memorandum to the Foreign Ministers present at the Conference and had discussed their views with some of the Ministers or their representatives. They planned to hold a press conference on July 6 to answer questions on the current status of the Baltic states and the historical background of their incorporation into the U.S.S.R. They also planned to give to the press copies of their memorandum. They said that they had not intended to distribute their memorandum to the general public, but one member of the group had given two copies to Finnish plainclothes security officers at the Hotel Intercontinental, where the American group, as well as many of the delegates, was staying.

Upon learning of the detention of the Americans, Secretary of State Rogers, who was representing the United States at the Conference, personally indicated to the Finnish government his concern about their detention and welfare. The Finnish government agreed at once to their release, and they were freed the morning of July 6. The only limitations placed on their activities were that they could not interfere in any way with the "peace and tranquility of international conference activities and premises," and that they could not hold a press conference. Their contacts with individual members of the press were not restricted, however.

The Americans indicated that they would remain in Helsinki for a few more days to answer inquiries regarding the status of the Baltic states and the circumstances of their incarceration.

The following U.S. citizens were involved:  
Joseph Kestutis Vallunas  
Uldis Ivars Grava  
Ilmar Ploor  
John B. Genys  
Egle B. Zilions  
Peter John Vileliss

## SAFEGUARDING THE CONSUMER

Mr. HUMPHREY. Mr. President, on August 25, 1973, I was privileged to address the annual conference presented by the Northeastern Minnesota Consumers League and Duluth Senior Citizens Organizations. Held in Duluth, Minn., the

conference featured indepth work sessions under the theme, "Safeguarding the Consumer."

In my prepared remarks, I focused on crucial economic issues currently confronted by American consumers. My point was that "consumerism" right now means more than combating shoddy products, poor service, and abuses in obtaining loans to purchase consumer goods. Rather, it must become a movement among our people to demand effective policies to stabilize the American economy to prevent further devaluations of the consumer purchasing dollar. As I stated:

The greatest abuse the American consumer confronts today is the undermining of his purchasing power. He is increasingly unable to afford essential products or services, or to find them even if he is willing to pay a stiff price.

I was sharply critical of the failure of administration policies to address effectively four urgent consumer economic problems: rising food prices, escalating costs of housing, health care expenses that are undermining the economic security of the elderly, and the fuel shortage crisis.

All of these issues have been the subject of respective hearings held by the Subcommittee on Consumer Economics, of the Joint Economic Committee. As chairman of this subcommittee, I have been determined that the full scope of these urgent matters be examined, leading to recommendations for expediting appropriate administrative and legislative action. On September 19 and 20, the subcommittee will hear testimony on expectations regarding the fuel supply situation over the coming year. Particular attention will be given to supplies of No. 2 diesel oil and home heating oil for which there is a critical requirement in the coming winter.

Mr. President, I ask unanimous consent that the text of my remarks as prepared for delivery on August 25, and entitled "Safeguarding the Consumer," be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

## SAFEGUARDING THE CONSUMER

It is a distinct pleasure for me to participate in this annual conference presented by the Northeastern Minnesota Consumers League and Duluth Senior Citizens Organizations.

As chairman of the recently established Consumer Economics Subcommittee of the Joint Economic Committee of Congress, I, of course, have a direct interest in the vital issues being raised at this conference.

The consumer movement is a recent development in our Nation's history. It is an outgrowth of increasing concern about the difficulty these days of getting a dollar's worth of goods or services for the hard-earned or carefully saved dollar that is spent. No longer should the consumer be abused or misled by the instrumentality providing the loan or extending the credit for the purchase of consumer items, or by the advertiser and seller of these products, or by the agency responsible for their servicing and repair.

Nor should any American experience serious injury, disfigurement, and suffering because of shoddy, even dangerous, products.

## CONSUMER LEGISLATIVE ACTION

The enactment of legislation that is specifically focused on protecting the individual

American consumer is also a comparatively recent phenomenon in Congress. Examples that come immediately to mind are laws that require honest packaging and labeling, motor vehicle safety, protection from flammable fabrics and from electronic products, limits on cigarette advertising, truth in lending, child protection and toy safety, and poison prevention packaging.

Congress has also insisted that new directions be taken by the Federal Government in the vigorous enforcement of such laws—as in legislation enacted to establish an independent consumer product safety commission. More recently, I have introduced legislation to carry out this congressional intent with respect to all Federal regulatory commissions.

It is to these regulatory agencies that we in Congress have looked in drawing up the rules of competition and fair dealing in the marketplace. But the evidence is increasing that where these agencies are failing to do the job of serving the public interest, their membership reflects appointments from the special interest they are supposed to regulate. Perhaps even more important, these agencies, which were intended by Congress to be independent and not subject to political pressures in carrying out their responsibilities, are increasingly coming under the control of the executive branch.

My resolution (S. Res. 160), cosponsored by thirteen Senators, calls for the reassertion of effective Congressional oversight of federal regulatory agency operations, through the launching of an intensive study of these commissions by a newly established Senate select committee. The goal of this study, of course, is that the integrity of regulatory commissions of the U.S. government merit the trust of the American consumer. It will be difficult for the U.S. Congress to match the record of the first half of the 1973-74 session to the Minnesota legislature, which saw at least 30 significant consumer laws signed by Governor Anderson. But the U.S. Senate has passed important legislation this year to protect consumers against unfair billing practices (S. 2101). And it has in process further legislation on consumer product warranties, on automobile insurance, and on the establishment of an independent consumer protection agency, among other immediately relevant bills in the consumer area.

## THE CONSUMER AND PHASE IV

However, the creation this year of the Consumer Economics Subcommittee recognizes that a particular and vital dimension of consumer issues now must receive urgent and sustained attention by Congress. The greatest abuse the American consumer confronts today is the undermining of his purchasing power. He is increasingly unable to afford essential products or services, or to find them even if he is willing to pay a stiff price.

And this crisis must be laid directly at the door of the Nixon Administration's economic policies.

The Administration's Phase IV so-called economic stabilization program is being described by some of those "in the know" in Washington as an abandonment of any further effort to control inflation. Having seen its earlier predictions of a limited inflation rate for 1973 overwhelmed by events, the President's Council of Economic Advisers has stopped making any more predictions. It is now generally expected that the consumer price index will continue to rise by about 5 percent next year. Now, that may not sound as bad as the annual rate of 8.7 percent increase in the second quarter of this year—except to those living on fixed and limited incomes, and to millions of American wage earners confronting continued limitations on wage increases under the Administration's Phase IV program.

But 5 percent would be almost twice the average annual rise for the two decades

through 1972. So the Nixon Administration is no longer making any fancy claims about keeping prices down. All the stress now is on managing the program to avoid damage to the economy—in other words, avoiding a repetition of the unprecedented chaotic economic situation of recent memory under Administration policies, of simultaneous inflation and high unemployment. The Nixon Administration doesn't want yet another recession—whether official or unofficial—on its record. So it is going to be content to make you pay more for less, if only the economy can be kept moving as a result.

Therefore, this management of Phase IV will not be directed at immediately helping the average consumer—and particularly the consumer who is poor and who is elderly. Instead, Phase IV can be expected to generate higher costs on services and products of vital importance to retired persons.

Latest figures available from the U.S. Department of Labor indicate that the average elderly couple must budget 35.2 percent of their income for food and medical costs and an additional 35 percent for housing—mostly in rent payments.

#### FOOD PRICES

But what have we seen happen in these areas? One week after the so-called but highly mislabeled "freeze" on food prices was lifted by the Nixon Administration last month, the price of pork chops jumped 25 percent, bacon went up from \$1 to \$1.50 a pound, and eggs increased from 70 cents to \$1 a dozen.

On September 12, beef will be added to the list of food products on which all cost increases can be passed along to the consumer—similar to the cost-increase allowance for non-food segments of the economy permitted under phase IV since August 12. Right now, however, whenever I am asked to evaluate the effect of the price freeze on beef, I answer with two questions: What freeze? What beef?

Scarcity of a number of food items will, of course, add its own weight to keeping food prices up. It will take months for the food industry to get back into full production. This is in large part the result of slow-downs associated with the on-again, off-again price freeze by the Nixon Administration last June, and the current limit on production cost pass-alongs by processors in higher retail prices to consumers. Housewives can recite chapter and verse right now of the difficulties they are having in finding canned fruits and vegetables, dried fruits, canned seafood, salad and cooking oils, canned meats and items containing meat such as pork and beans, and processed tomato products.

Caution should be exercised in evaluating recent reductions from historic highs in prices on a variety of farm goods, on both the wholesale and commodity future markets. Such declines may not result directly in lower retail food prices. What is actually going on is a badly needed wholesale price correction, reducing pressures for further overnight increases on supermarket shelf prices.

By contrast, the National Association of Food Chains has estimated that food prices will rise a further 5 percent by year-end, on top of a 12 percent gain registered from January to July. And some sources in Washington are reportedly suggesting off the record that food prices will rise at least another 10 percent next year, according to a recent issue of U.S. News and World Report magazine.

Something is terribly wrong when confused and rapidly changing Administration economic policies result in elderly persons in Florida being so desperate that they pilfer food and vitamins from local stores.

It is not simply a political issue or an economic problem when rising food prices mean the difference between a decent meal and gnawing hunger, between health and malnu-

trition for hundreds of thousands of poorer families across America.

It has been necessary for Congress to instruct the Administration that agriculture policies have to be closely meshed with economic policies that make sense, if we are to again achieve a rational situation in food prices. We must confront new production and market realities in agriculture, and we must develop a far more sophisticated system in government to forecast these realities. Above all, we simply cannot continue to jump in and out of food price freezes and controls which can have serious reverse effects. And it was for all these reasons that I spent long hours this year helping to draft the Agriculture and Consumer Protection Act (S. 1888), recently signed into law. The new stabilization measures that can be launched under this law are under a firm Congressional mandate, reflected in the title of the law itself, that both the consumer and the agricultural industry are to be effectively served.

#### THE BUSINESS OF THE PEOPLE

The other day in his press conference, President Nixon talked about getting on with the business of the people. And he said that "years from now people are going to be interested in . . . the efforts of this Administration to have a kind of prosperity that we haven't had since 1955 . . . (A) prosperity without war and without inflation."

I would suggest to President Nixon that the people are interested right now in what the Administration is doing to achieve this prosperity. Where is there a prosperity benefiting the people, not just the major corporations, when recent government statistics show a decline in a worker's real spendable earnings (after discounting inflation and tax increases) of two tenths of one percent between July of 1972 and July of 1973?

I would remind the President that the urgent business of millions of lower-income and elderly Americans is getting at least one good meal a day and having a decent place to live and being able to find and pay for adequate medical care.

#### HOUSING NIGHTMARE

What efforts have we seen by this Administration to meet the housing needs of these citizens?

In January, it ordered a total halt on all new starts under the major subsidized housing programs enacted by Congress in 1968, on top of an earlier halt in construction of federally-financed low-cost housing for the elderly. The President has labelled the Section 235 and 236 programs of home ownership and rental housing as ineffective, costly and not benefiting the needy.

Yet those programs have provided over 600,000 units of decent housing for 2.8 million people over the past 4 years, and the average family income of owners and tenants is only slightly above the poverty level. Congress took the lead in enacting several measures to improve management and prevent abuses in these programs, but the Administration has been content to complain about inefficiencies while failing to fully utilize these very measures for improvements.

In housing as in a number of other areas the Nixon Administration has had to be told by the courts to obey and faithfully execute the laws enacted by Congress, much less undertake its own initiatives to meet the urgent domestic needs of our people. Two U.S. district court rulings were handed down in July: first, that federally subsidized housing programs should be resumed; and second, that the Administration's freeze on subsidized rural housing loans, administered by the Farmers Home Administration, was illegal. It has been estimated that if this rural housing program freeze is allowed to continue, at least 100,000 low-income families would be deprived of an opportunity to borrow funds and build or buy a decent home.

However, the harsh reality today is that

across the board it is becoming almost impossible for Americans even up to the middle-income level to buy a home. The AFL-CIO has rightly labelled this a "nightmare era in housing."

The median price of a new home nationally is \$31,500 and rising. Used homes in reasonably good condition have increased in cost by several thousand dollars within the last year alone. The rental cost of all housing units has soared—roughly a 31 percent increase from 1968 to 1972.

Interest rates on home mortgages have escalated to at least 8.5 percent—up more than one percentage point in one year. Now, that single percentage point increase works out to an additional \$4,400 cost to an American family over the life of a 25-year mortgage on a \$30,000 home. And that one percent boost in interest drives 3.4 million American families out of the housing market, according to the National Association of Home Builders. They simply cannot meet the high monthly payments, much less handle the stiff settlement costs.

But even if they could scrimp and borrow to meet these outlays, these families cannot begin to come up with the large down payments that are currently required, even with a mortgage. Today, families in the Washington, D.C. area can generally expect to have to put down 25 percent of the cost of a new home in hard cash, before their application for a home loan will even be considered.

What is the Nixon Administration doing about all this?

Incredible as it may seem, the Administration has totally exempted interest rates and rents from controls under Phase IV.

The Federal Reserve has called for another tax increase—which would again put the burden of inflation control on the back of the American wage-earner.

At the same time, the Federal Reserve is following a tortuous course of simultaneously keeping a money supply available to prevent a recession and raising the cost of this money to prevent skyrocketing inflation. The prime interest rate that banks charge their best customers—meaning major corporate borrowers—has just risen to 9.5 percent. That is the highest interest rate in the history of this nation. It is a full one-half percent above the prime rate in the 1970 recession, with its disastrous and resultant credit "crunch" that had its most immediate and extensive adverse effect, as usual, on the housing industry.

But the Federal Reserve took another step on July 5th to help banks meet credit requirements through attracting savings accounts, by lifting the ceiling on interest rates that can be paid. That action only met one difficulty—the limited availability of lending money—by creating another problem—a massive outflow of savings from thrift institutions, the key source of funds for home builders and mortgages.

The Nixon Administration no longer makes a pretense of moving to meet the vitally important housing production goals of the 1968 Housing Act—26 million new units of housing, including 6 million for low-income families, in one decade. Instead, it has abandoned those goals altogether.

It no longer talks about high levels of new housing starts. Those starts may decline by up to 40 percent in the next year. Federally subsidized housing starts have already declined from the high level achieved in 1970 under the historic legislation enacted by Congress two years earlier. And within a year it is expected that national housing production will be 45 percent behind the goals of the 1968 Act.

Hopefully, in September the White House will present to Congress the new housing program that was promised last March. Recent news reports of recommendations to the President by the Department of Housing and Urban Development indicate this program may have certain commendable features,



such as direct housing allowances to elderly poor people. But unless a comprehensive, well-designed program is presented to Congress, such hopeful signs may well prove to be a frustrating mirage, crushing the hopes of millions of Americans who live in substandard housing.

Just to cite one example: HUD may recommend that federal housing policy rely primarily on the existing supply of housing to provide decent shelter for lower income families, rather than continuing the emphasis on providing new units. Now, that may sound commendable as a cost-saving when one considers that housing costs have risen over 90 percent since World War II, that the cost of land as a portion of a house sales price has doubled in that period, and that the price of housing materials has jumped more than 30 percent in the last year alone.

But where is this current supply of housing to be found, when only one percent of existing single-family homes are vacant and available for sale, while new housing is already lagging far behind demand, and while 8 million households have no plumbing or are overcrowded or both?

An elderly couple could see the value of its housing allowance wiped out by the inflationary impact of a simultaneous federal policy of reliance on existing housing.

Until the Administration presents its new housing program, its only significant proposal has been the Better Communities Act (S. 1743). But this legislation has been roundly criticized by mayors for its limited authorization level of \$2.3 billion and for its allocation formula for this so-called "special revenue sharing" that also swallows up current important programs targeting federal assistance dollars to meet specific urgent community and housing needs.

In fact, this bill is seriously mislabeled—communities would not be the better for it. It makes no provision to insure that a recipient community would undertake a program to meet its housing needs as part of its community development efforts. It does not provide for a community to borrow money at a reasonable rate to carry out costly development programs such as urban renewal. And it contains no built-in means for directing funds to be spent to meet national objectives.

It would appear that the American housing consumer will again have to look to Congress to provide the leadership. And there are already two bills in the Senate—S. 1744 and S. 2182—which would correct the deficiencies I have cited in the Administration's legislation.

But the time has come to take further steps toward assuring every American the right to a good home in a decent environment. It is recognized, for example, that the development of a comprehensive national housing strategy must be dovetailed with a national growth and land use policy. In the near future, I will introduce major legislation to accomplish this task. And I have again introduced legislation—The National Domestic Development Bank Act—to provide the financing required by local governments for urgent public projects to build a decent community environment with effective public services.

More immediately, we should be looking to selective and flexible credit controls, to well-managed federally subsidized housing programs, and to incentives and requirements for new investment sectors to help meet the critical housing needs of the American consumer.

#### DENIAL OF HEALTH CARE TO ELDERLY

It has been my privilege over recent months to chair hearings by the Consumer Economics Subcommittee that have examined in depth the serious problem of rising food costs, the nightmare situation in hous-

ing, and the fuel shortage crisis in our inland areas.

But hearings by the Subcommittee have also been undertaken to find answers to the urgent problems of escalating health care costs and the increasing inaccessibility of quality health care for large numbers of the American people. This is a particularly severe problem for elderly persons.

The nation's elderly are struggling to meet the rising cost of living on fixed and limited incomes. The further increase of 5.9 percent—as later revised—in Social Security benefits, recently enacted by Congress but regretfully not to be effective until next June, is still not sufficient to meet their total income requirements, because inflation is eating away, for example, the fixed amount of their pension benefits.

But the Nixon Administration would like to take even this benefit away with the other hand, particularly in the area of health care, as well as in housing, food assistance, and social services.

Older Americans were stunned early this year by Nixon Administration plans to make them pay higher Medicare costs. Under President Nixon's Fiscal 1974 Budget proposals, a Medicare patient would have to pay a significantly higher amount of hospital charges, and a sharply increased portion of the doctor's bill under the Part B voluntary insurance program.

The Administration has flatly suggested that Medicare and Medicaid cutbacks can be made precisely because of the Social Security increases enacted by Congress. But these increases can be wiped out by rising health care costs alone. The harsh statistics are that health care costs for older Americans are rising twice as fast as for young persons. And with these rising costs, Medicare right now can only cover 42 percent of the average beneficiary's hospital and medical bills.

As one directly responsible for the original enactment of the Medicare program, I am determined that these Administration policies should be totally reversed. And it is to this end that I have introduced the Social Security and Medicare Reform Act of 1973 (S. 1143).

However, it is abundantly clear that there is an urgent need for the enactment of legislation to assure all our citizens immediate access to quality health care and at the lowest possible cost. The time has come to establish the right of all Americans to health.

Today, more than 30 million Americans are not even covered by any health program or private insurance plan. Meanwhile, over the past 20 years the cost of medical care has soared. In 1950, personal health care spending was \$12 billion. But in fiscal 1972, the total bill was \$83.4 billion.

The present health care crisis is associated with the sharp escalation of these costs in the last few years. Last year alone, the total health bill rose by 10.3 percent over the previous fiscal year of 1971.

Meanwhile, all too many of our citizens cannot get health care even if they have the dollars to pay for it. There are no—repeat, no—active non-federal physicians in 132 counties in the United States. Thirty-four counties lost their last doctor just since 1963. Today, almost half a million people in a land area of 140,699 square miles have no physician.

If a patient is fortunate enough to receive care in a community hospital, he confronts an average daily cost which had soared to \$105 last year—a 115 percent increase since 1964.

Despite an expenditure for the protection of health that consumed 7.4 percent of the Gross National Product in 1971—or \$358 for every man, woman, and child in the United States—we remain a nation with major health problems.

360 out of every 100,000 Americans died from heart disease in 1970—the leading killer in our nation.

Respiratory ailments were the leading cause of days of bed disability per 100 persons, accounting for 207.4 of the total of 381 days.

These facts and statistics demonstrate beyond the shadow of a doubt that a nationwide reform of our health care delivery system is demanded—and demanded now.

I intend to do everything possible in support of vital legislative measures to accomplish this priority goal. And I intend to strongly oppose serious cutbacks in assistance for major health programs that have been proposed by the Administration.

#### RIISING FUEL PRICES

I want to conclude my remarks by focusing on one consumer economic problem of particular importance in the Midwest. Some of you may be aware of my sustained efforts in recent months to achieve effective action in Congress addressed to the fuel shortage crisis. That shortage has already adversely affected the farmer, the local school district, and the independent petroleum marketer and service station owner in our area. And it could have serious repercussions this winter if immediate efforts are not made to avert a shortage in home heating oil.

Only recently the Administration has begun to propose, through the recently created Office of Energy Policy, the type of mandatory allocations policy I have been insisting upon to assure the fair and equitable distribution of fuel supplies across America, and to maintain essential public services.

However, associated with the fuel oil shortage has been a steep rise in the price of gasoline, fuel oil, and other petroleum products. At hearings last June in Minnesota by the Subcommittee on Consumer Economics, persons directly involved in purchasing from the major oil companies advised me that fuel oil and gasoline prices had gone up by 25 to 50 percent over previous contract prices!

Although the Administration's Cost of Living Council established so-called mandatory petroleum price increase controls last March, no documentation was required until June or July to demonstrate whether companies have been in compliance. Because of this delay, the first reports of the controlled companies have not been evaluated—let alone enforced.

Even published nationwide wholesale and consumer price index increases for refined oil products have been substantially in excess of the 1.5 percent Cost of Living Council guideline.

I was shocked by the information I received at the subcommittee hearings, and I requested the chairman of the Cost of Living Council, John Dunlop, to provide a comprehensive account of what was being done. I regret to say that the Council's reply, while going into endless detail about its bureaucratic procedures, failed to provide any information about results.

Accordingly, I have brought all this to the attention of the Senate, and I intend to continue pressing this Administration to develop effective controls over price increases in the petroleum industry.

#### CONCLUSION

My lengthy analysis of the major consumer economic issues of critical importance today—the costs of food, of housing, of health care, and of fuel—will hopefully be of help to you in focusing your agenda for this conference.

But if there is one message that should come across today, it is this. The hallowed doctrine in American law and practice, "Let the buyer beware," is simply not going to be blindly accepted by the people any longer. Instead, "Let the Nixon Administration beware" that the issue of safeguarding the American consumer is now of paramount importance, demanding effective action by government without further delay.

# MARINE CORPS COMPANY HOLDS 30TH ANNIVERSARY REUNION

Mr. SCOTT of Pennsylvania. Mr. President, last month, Company B of the 4th Tank Battalion, 4th Marine Division, held its 30th anniversary reunion in Reading, Pa. This is the only Marine Corps company that has managed since World War II to keep its members in touch with each other, through meetings and bimonthly newsletters. It is a distinguished company, having fought in the great Pacific battles of Saipan, Tinian, and Iwo Jima.

Among the members of the 4th Division is my friend and our colleague from Oklahoma, Senator HENRY BELLMON. A memento brought back from that island by then-Governor Bellmon on a return visit to the Pacific battlegrounds over a decade ago, was presented to Company B on this important reunion.

Presenting the shell case was Joseph X. Dever, a columnist for the Philadelphia Bulletin and himself a platoon leader of Company B. In an article August 7, Mr. Dever reminisces about these decisive battles of World War II, and the role played by Senator BELLMON. Mr. Dever shared a foxhole with Mr. BELLMON during the battle of Iwo Jima.

Mr. President, the battles of World War II, for the men who fought in them, leave "an unstated bond," as columnist Dever so aptly said. So that we may all recall this momentous time in our Nation's history. I ask unanimous consent to enter Mr. Dever's report in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

## LUGGING VOLCANIC ASH TO READING

(By Joseph X. Dever)

Just before we joined The Bulletin half a dozen years or so back, Sen. Henry L. Bellmon, then governor of Oklahoma, invited us to accompany him as an aide on a return to the Pacific battlegrounds where we had fought together during World War II—Saipan, Tinian, and Iwo Jima.

Due to a comedy of errors we never made the trip, but Bellmon brought us a consolation prize, a 75 millimeter shell case made into an ashtray and full of the black volcanic ash of Iwo, as remote through all these years as moon rocks.

We lugged that memento to Reading, Pa., this past weekend where our old Marine tank unit, Company B, was holding its 30th reunion. It was the first of their biennial meetings in the East.

It seemed an appropriate gesture to deed our bit of Iwo real estate to the only company-sized unit in the Marine Corps that has stuck together through almost half a lifetime. Besides, they had paid well for that never-never-land.

Ex-Capt. Eddie Bollard of East Stroudsburg, Pa., who accepted the souvenir for the annals, is the man responsible for keeping B Company alive. He has made it his avocation, editing a bimonthly newsletter. It was he who read the wire from Sen. Hugh Scott welcoming the men to Pennsylvania.

They came all the way from Yakima, Wash., to Norway where one ex-tanker was drilling for oil in the North Sea. A former tank commander turned undertaker habitually flies his own plane in from Sheridan, Wyo.

We ourselves had been far less faithful, looking in briefly on only one reunion in Detroit years before.

We approached this one with mixed emo-

tions. We've never been gung-ho for reunions, familial or fraternal, and in the wake of America's most demoralizing "non-war", the prospect of legionnaire hi-jinks or nostalgia for blood, sweat and tears in any form seemed an anachronism.

In the years between, we've lived it up in London, Paris and New York, but somehow we've never entirely lived down the notion that war remains an indelible part of our experience, not surprising for a kid never before farther afield than the wilder shores of Wildwood.

As it turned out, we were glad we went. This was a warm get-together of friends in a country club atmosphere—swimming, golf and side trips to the lush Amish countryside for wives and families. Latter seemed fast friends, too.

In this country club, however, there was an unstated bond. At the St. Louis reunion, they had air-lifted Hilding E. Skoglund, former company carpenter, ailing with cancer, to one last meeting before he died. When another member died in Chicago, they helped his son stay in law school.

As it happens, no less than two old Company B men are college presidents. Ex-Lt. Tom Clifford is president of the University of North Dakota, ex-corporal Bernard Currier is head of St. Joseph's College near Portland, Me.

At the banquet on Saturday night, Capt. Bollard called the roll and each man answered as of old: "Here Sir." As the names of those who died were called, a candle was lighted for each one. We counted 21 candles as a young Marine bugler played taps.

No. 21 was former Oshkosh, Wis., district attorney George H. Radtke who shot himself just before the last reunion.

Onetime Philadelphia Eagles footballer Joe Snyder, a company staff sergeant and now a security officer at the Navy Yard, surprised us with a diary he kept on B Company's campaigns in Saipan and Tinian in the Marianas. It proved such a remarkable document we sat up all night reading the book-length account of one of the bitterest battles in the Pacific War.

An entry on June 26, 1944, reads: "Crawled into a foxhole with Lt. Dever. He lives in Germantown just a few miles from me. Dever asked me to take down his address in case he gets killed or dies. He looks like hell. He must have a premonition or he wouldn't talk like that. Anyway, we exchanged addresses in case one of us gets back."

It reminded us of a remark by Norman Mailer, author of the best novel of World War II, "The Naked and the Dead." At his own 50th birthday party last winter, Norman kidded: "When you've lived as long as we have you ask yourself—what did I do wrong?"

## RETHINKING THE NATO TROOP LEVEL ARGUMENT

Mr. PROXMIRE. Mr. President, the myth that precisely 320,000 U.S. troops stationed in Europe will deter a conventional or nuclear attack by the Soviet Union has come in for some critical, hardheaded analysis lately. Questions are being asked about the magic of the 320,000 figure. Is that the minimum necessary for an adequate European defense? How fast can we reinforce a lower level? What are Soviet intentions and how are they reflected in their troop commitment in Eastern Europe?

These military issues have been debated at great length within the Pentagon but little information has been made available to Congress. It is known for example that a systematic review of Soviet troop readiness in the late 1960's and early 1970's indicated that the Soviet posture was much weaker than originally postu-

lated. We know that new commitments to defense on the eastern front of the U.S.S.R. are being made yearly, and that some of these troops come from the European sector.

We can look back at the history of the U.S. troop commitment and see how the figures have fluctuated without any corresponding danger to U.S. interests or European security.

Our forces are being modernized and made more efficient. Fewer troops would seem to be called for.

One of the most persuasive arguments for a firm cut in U.S. troop strength in Europe flows from the economic situation. While the Europeans sustain a healthy economy and successfully compete with U.S. industry worldwide, we are bearing the brunt of a \$14 billion commitment consisting of 10 percent of all NATO troops, 25 percent of all air forces, and 20 percent of the naval forces. No wonder the European countries are challenging us economically.

## THREATS MUST BE MET BY EUROPEANS

The burden of need rests with the Europeans. If they believe that Soviet intentions are ominous, that an invasion is likely, and that only a massive commitment to strength will preserve their freedom, let them prove it by providing more of their own defense. We will stand by ready to reinforce with modern weapons and provide a nuclear force capable of wiping out any Soviet military thrust. We will abide by our commitments and stand fast. But we should not be called on to pay an exorbitant amount for that reduced share which logically would fall to the United States.

Mr. President, the economic and military arguments relating to any reduction in U.S. troops have been clearly addressed by Adm. Gene La Rocque, retired, in the New York Times. He makes a new analysis of the situation with a distinction often lacking in other arguments. He says:

A phased reduction is not a denial of our NATO commitment. It may save NATO from being destroyed.

Mr. President, I ask unanimous consent that this article by Gene La Rocque be placed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

## TO SAVE NATO: REDUCE IT

(By Gene La Rocque)

WASHINGTON.—Visiting the headquarters recently of the North Atlantic Treaty Organization, I told an old friend there I thought it was high time we began to make some plans to reduce our forces in Europe. He is living in a beautiful chateau, and he said: "Well, Gene, please don't start it right now, because this is the first good overseas duty I have been able to get for Mary in all our Naval service and I would like to be able to finish the tour."

He was being facetious, of course. Nevertheless, one of the obstacles to beginning a departure of our troops from Europe is reluctance of some of our 130 generals and admirals to even begin to think of giving up important and pleasant positions with the twenty NATO headquarters and commands.

But, if our continued undiminished military presence in Europe is welcomed by our own happily ensconced senior officers, it has in many ways become an irritant to the Europeans and burdensome to our own rank-and-file.



Our black troops especially are sometimes given a bad time, and though it is costing this country billions of dollars to keep troops there, the depreciation of the dollar is steadily impoverishing all our G.I.'s in Europe.

The defense of Europe bears a large share of responsibility for the fact that our per capita spending on military affairs is now \$380 annually. The Europeans' per capita spending on their own defense is about \$140 in the case of the three wealthiest European countries, West Germany, France and Britain. Our West European allies have in recent years increased their defense spending considerably, but they have also increased their incomes. On the basis of U.S. per capita income being indexed at 100, West Germany as of now is 102.

There are almost 320,000 American military in Europe, with 220,000 dependents. American fighting men provide 10 per cent of the NATO ground troops, 25 per cent of the air forces, and 20 per cent of the NATO naval forces.

A 20 per cent cut in U.S. troops in Europe would leave the NATO ground forces and the Warsaw Pact forces still in rough balance, if French troops are included on the NATO side as surely they would be in a showdown. Many of the Warsaw Pact ground forces are really Soviet garrison forces who are there to deal with possible uprisings against Soviet domination—for instance, the two Soviet divisions in Poland, the four divisions in Hungary, and the five in Czechoslovakia.

Our presence in Europe gives the Soviets an excuse to maintain those garrison forces. If we ever hope to see those countries free again, one step to take is to reduce this justification.

The U.S. and its allies have in Europe a two-to-one advantage over the Soviets in terms of nuclear weapons. In the Mediterranean, even putting aside the Sixth Fleet, the French and Italian fleets are as large as the Soviet naval forces there.

A reduction in Europe could be spread over ten years if necessary, with a 20 per cent cut in the first three years; then reassess the position to see how the Russians are reacting.

Some say before we do any such thing we should first talk with the Russians, beginning this October in Vienna, about mutual and balanced reductions of forces. I happen to think it is the height of deceit to talk about reductions with the Soviet Union. It is a delaying tactic. It keeps the force levels preserved where they are today and avoids any real discussion of what the United States could do. We have to take the first step ourselves, in consultation with our allies.

The alternative to phased reduction may be a fierce backlash of American public opinion against the whole NATO concept. That could involve a hasty, heedless pullout from Europe, at the wrong time and in the worst way. A phased reduction is not a denial of our NATO commitment. It may save NATO from being destroyed.

(Gene La Rocque, a retired rear admiral, is director of the Center for Defense Information and a former task group commander of the Sixth Fleet.)

#### COAL RESEARCH AND DEVELOPMENT

Mr. COOK. Mr. President, if we need more evidence that this Nation must look to its domestic resources to provide the energy fuel we require, then we certainly received this evidence by the action taken this week by Libya. While I have as yet received no official word or information on the decision by Libya to double the price of their crude oil and reject the dollar as payment for this commodity, I view with alarm the an-

nouncement contained in the news media.

On several occasions, I have stated on this floor that this Nation cannot afford the drain on our balance of payments which has been created by the demand for foreign oil. As an alternative to this demand, I have taken the position that we can no longer take a business as usual approach to develop the necessary technology needed to permit us to burn our abundant supply of coal within the limits established by our environmental standards. Specifically, I introduced S. 2167 to establish a trust fund for a dynamic research and development program. I welcome the support of Senator BAKER, Senator ROBERT BYRD, Senator RANDOLPH, and Senator MOSS, who are cosponsors with me of this bill. I solicit additional support of my colleagues and urge that hearings be held at an early date so that we can move ahead on these vital programs.

Mr. President, who knows what tomorrow will bring? If a foreign power can double its price of oil and refuse dollars in payment, I submit that there is no limit to the degree of influence on our Nation's policy that can be exercised by foreign powers. We cannot let this happen.

I recognize that there are foreign policy implications attendant to this latest action which must be considered here in this chamber. It is not my purpose this morning to address that facet of the problem. However, as one who for several years has taken an active part in proposing and supporting programs to provide solutions to our energy problems, I sound the alarm that this Nation is in grave danger of losing its status as a world power. A world power must have sufficient energy to meet its requirements. A world power cannot be dependent on the whims of a lesser foreign power to provide the fuel necessary to meet these energy requirements. We can find a solution with our domestic resources, and see to it that the Nation pursues these programs with an all out effort. It will take time, but I am reminded of what a farmer once said when he was told that a new tree he was considering planting would not flower for 100 years—"in that case plant it this afternoon." Gentlemen, we are in the afternoon of the time remaining to deal with this problem. We must plant this research and development tree now if we expect it to flower in sufficient time to save the Nation.

#### COMMUNICATIONS WORKERS OF AMERICA SUPPORT OUR VETERANS

Mr. HARTKE. Mr. President, there is no possible way that any people can adequately repay an individual who risked his life to defend their homes and freedoms. When the courageous person suffers injuries in battle, such as loss of limb or eyesight, or permanent paralysis, an immediate obligation falls upon the country to provide him with some compensation for so great a sacrifice.

There are many American citizens who are now speaking out on the debt we owe to the Vietnam veteran and de-

manding that we do all in our power to assist him in readjusting to civilian life. As chairman of the Veterans' Affairs Committee, I am pleased to inform the Senate that the Communications Workers of America at their national convention last month passed a resolution which urges the Veterans' Administration to restore to its budget the \$160 million intended for disability payments to Vietnam-era veterans and to refrain from wholesale downgrading of disability ratings. This resolution also calls for the enactment of the "Veterans' Administration Accountability Act," S. 1076, which I introduced, which would require the Veterans' Administration to inform the Congress in advance of any significant policy shift, such as lowering disability ratings, closing veterans hospitals, or disposing of Veterans' Administration lands.

I want to commend the Communications Workers not only for acknowledging the tremendous obligation this Nation owes the Vietnam veterans but also for recognizing the serious need that exists to aid these courageous persons. The Communications Workers Union has again demonstrated its commitment to serving the best interests of the Nation. To quote from their resolution:

The Vietnam veteran who bore the brunt of the battle and was disabled while in the service deserves better treatment than the administration proposed. The callous disregard for such sacrifice is a travesty.

Mr. President, I ask unanimous consent that their resolution be printed in the RECORD.

There being no objection, the resolution is ordered printed in the RECORD as follows:

#### CUTBACKS IN VETERANS' DISABILITY PAYMENTS

The Vietnam war has been characterized as one of "mines and booby traps." Maiming injuries and amputations were common, due to guerrilla warfare.

After previous wars, disabled American veterans would look to the Veterans Administration to provide compensation for their injuries, such as loss of limb or eyesight, or permanent paralysis. Many years ago, Congress acknowledged the Nation's debt to its veterans.

However, when the Veterans Administration submitted its Fiscal Year 1974 budget, it proposed saving \$160 million a year by cutting disability payments in such a manner as to penalize Vietnam veterans. For example, a veteran with a leg amputated at the hip currently is classified as 90% disabled. Under the proposed reclassification, the same disability would be lowered to 40%, with a resultant monthly loss of \$169. Most veterans of previous wars would not be affected by the proposed changes, because the Congress has frozen disability ratings held by individual veterans for at least 20 years.

The Veterans Administration announced its intention to change the Vietnam veterans' compensation in this obscure language, found in the Federal budget document: "Reform veterans benefits administratively to align benefits and need." When those words were translated into plain English, a massive outpouring of criticism came from the Congress, labor unions, veterans' groups and the general public. However, the \$160 million has not been restored.

To counter further attempts at unilateral action to the detriment of veterans, Senator Vance Hartke, Chairman of the Senate Veterans' Affairs Committee, introduced S. 1076, the "Veterans' Administration Accountability Act." The bill would require the agency

to inform the Congress of any significant policy shift, such as lowering disability ratings, closing veterans' hospitals, or selling public lands now used by the Veterans' Administration. The Congress would have 60 days in which to study the policy implications and act to forbid such changes proposed by the agency.

The Vietnam veteran who bore the brunt of the battle and was disabled while in the service deserves better treatment than the Administration proposed. The callous disregard for such sacrifice is a travesty.

Therefore, be it resolved: That the Communications Workers of America exhort the Veterans' Administration to restore to its budget the \$160 million intended for disability payments to Vietnam veterans, and refrain from wholesale downgrading of disability ratings; and

Be it finally resolved: That this Convention call on the Congress to enact S. 1076, the "Veterans' Administration Accountability Act," to prevent unilateral agency action detrimental to American veterans.

#### "THE DREAM"—PLUS 10 YEARS

Mr. SCOTT of Pennsylvania. Mr. President, a decade ago on August 28, the city of Washington was host to, and the entire world was witness to, the largest and most peaceful gathering of people in the history of the Nation's Capital. A quarter of a million persons came together in harmony and hope for the March on Washington.

Black and white together, they came to share the dream of freedom and equality so eloquently expressed by the late Reverend Martin Luther King, Jr. Dr. King's dream will be remembered so long as any man is not free and is not equal with his brother.

Over these 10 years, there has been much progress for black Americans. New civil rights laws have been passed, and notable gains have been made in education and employment. But much more needs to be done, if we are to make real the dream of Dr. King. We must keep alive the struggle for civil rights by making it, for each of us, a personal struggle against any form of bigotry and discrimination.

Mr. President, an editorial in the Evening Bulletin, of Philadelphia, on August 28 recalled the 1963 March on Washington as "a symbol of unity, harmony and hope for civil rights supporters." The editorial also put into perspective what has happened over this decade. I ask unanimous consent that this fine editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

#### "THE DREAM"—PLUS 10 YEARS

We must learn to live together as brothers or we will perish together like fools.—Dr. Martin Luther King, Jr.

Ten years ago today, a quarter of a million people gathered at the Lincoln Memorial to share a dream. Dr. Martin Luther King Jr. described the dream to the world, and the March on Washington became a symbol of unity, harmony and hope for civil rights supporters.

The social climate is much different from a decade ago. For many citizens of all races the American dream has become increasingly clouded by mistrust and cynicism. In such an atmosphere, it is difficult to determine with any meaning—even though blacks have made many gains—how much of Dr. King's dream has actually been realized.

Opinion concerning the extent of black progress is sharply divided, even within the black community. In a society obsessed with data, there is a natural tendency to rely on statistics for an answer.

Read one way, the data shows:—That a "slender" majority of blacks has entered the middle class within the last ten or twelve years.

That black income can be equal to white income if a certain set of variables applies.

That nearly a third of all black families now earn more than \$10,000 annually.

That 11 percent more blacks graduate from high school now than five years ago.

That more than 800,000 blacks have moved from crowded cities to suburbs in the last decade.

However, the same data can be used to conclude:

That the absolute income gap between whites and blacks is widening.

That counter to the national trend, a large number of black families is still slipping into poverty.

That more than half of the black high school students attend predominantly black schools.

That 2.8 million blacks have replaced the 800,000 who moved to the suburbs.

What does it all prove?

Statistics can be interpreted to prove almost anything. And while such data can be useful indicators of developing trends, they can't accurately measure the intangibles.

In spite of gains recorded by individual blacks in the last ten years, too many blacks are still caught in the twin, vicious cycles of poverty and unequal opportunity.

It would be a great disservice to them and to the spirit of Dr. King's vision, then, if cold statistics were used to minimize the need for continued commitment to the black civil rights struggle.

Since the latter part of the 1960s, the civil rights movement has expanded to include women, students, consumers, other ethnic minorities and many other citizens. In increasing numbers, Americans are refusing to let statistics determine their quality of life and explain away the many problems affecting them.

The struggle for civil rights can and should be fought on many fronts; however, it's a safe bet that it won't be won in the statistical abstracts. What will help greatly is a renewed national commitment to the goals of Dr. King's dream.

#### SCHOOL MILK PROGRAM COULD BE ON WAY OUT

Mr. PROXMIER. Mr. President, before Congress recessed in late July the Senate passed an Agriculture appropriations bill that included a Proxmire amendment boosting funding for the special milk program for schoolchildren to \$97 million. This was a vast improvement over the \$25 million requested by the administration and approved by the House of Representatives. In fact this action restored funding to last year's levels.

However an editorial appearing in last Sunday's New York Times justifiably points out that by failing to resolve this issue by meeting in conference on the Agriculture appropriations bill the Congress has permitted the administration to put the \$25 million ceiling into operation.

It is up to the Congress to take action quickly to restore the school milk program to last year's level so that our schoolchildren will at least begin to receive adequate nourishment.

The need is particularly compelling in view of the escalation in food costs. Because of a rise in the price of milk—brought about by a whopping increase in grain and other costs to the dairy farmer—even last year's figure leaves a great deal to be desired.

I intend to do my level best to see that the conferees on the Agriculture appropriations bill meet soon to resolve this issue in favor of the millions of American schoolchildren who rely on the school milk program. I ask unanimous consent that the Times editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

#### MILK FOR CHILDREN

When schools open across the country this week, more than forty million children will find no milk on their lunch trays, unless local communities or their parents pick up the tab. The Federal subsidy, which amounted to \$95 million last year, has for the moment been wiped out—a victim of President Nixon's budget-slashing and of an unresolved conflict between the Senate and the House.

The President's budget requested only \$25 million for the milk program, a \$70 million reduction and just enough to provide milk for the approximately six million children in schools without lunch programs. While the House went along with the President's cutback, the Senate called for an expenditure of \$97 million. Until House-Senate conferees arrive at a compromise, there will be no subsidized milk for school lunches. In schools that have no lunch programs, the Agriculture Department will continue to provide children with milk by using leftover funds for day-care centers and camps.

The lapse in the general school milk subsidy comes at the worst possible time—when the price of milk and most other food has risen to record levels. Many children will be getting less milk at home because of the squeeze on family budgets, thus making its availability in school doubly important to their over-all nutrition.

To make matters worse, there is also the threat of a serious shortfall in the amount of Government-donated food available for the school lunch program. Many former surplus items are now on the scarcity list. In addition, some food companies, which had been eager to get the schools' lunch business when supply exceeded demand, are now delaying acceptance of local school board contracts in the expectation of getting more lucrative customers later on.

Contrary to the self-congratulatory folklore of America as a child-centered society, Congress shows no sense of urgency about preventing children from becoming victims of the adult world's preoccupation with profits and budget-cutting. The conferees have acted irresponsibly in delaying action beyond the opening of school. It is now up to both houses, as soon as Congress returns this week, to press for an appropriation adequate to assure that milk will not be taken away from children.

#### GRADUATION ADDRESS BY DR. HAROLD ENARSON

Mr. DOMENICI. Mr. President, in these days when our universities and their roles are ever changing and when there is great concern about the educational process in this country, it is refreshing to read a graduation address made to the University of New Mexico by a distinguished alumnus of that school, Dr. Harold Enarson who is now president of Ohio State University.



I believe the essence of the speech is contained in Dr. Enarson's own words when he says:

(A university) is not "just another organization." It is a very special kind of place. It is more like the Metropolitan Opera than the Metropolitan Life Insurance Company. It is more like a church than a factory, more like a research lab than a highway department. The university is an intensely human enterprise. And it is not so much managed as it is led.

The work that we do defies measurements that matter. Our "production site" is the classroom and the laboratory. Everything that really matters and makes a difference in the lives of students takes place behind closed doors—far beyond the reach of managers. The bell rings and the 50-minute intellectual transaction begins . . .

The quality of the intellectual enterprise—which is the only true measure—is the direct charge of the faculty. It is the faculty who must design the curriculum and the requirements; who must organize the courses of instruction; who must reshape courses and programs and stretch to be in tune with the times.

Because the remainder of Professor Enarson's address is equally apropos and provocative, I ask unanimous consent that it be printed in the RECORD as part of my remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

GRADUATION ADDRESS BY DR. HAROLD ENARSON

Members of the graduating class, parents, faculty, staff, friends of the University of New Mexico—

I salute you one and all—some for academic distinction and all for academic survival. This may be the time to remind those of you with "A's" and "B's" gracing your transcript that your achievements were made possible by helpful fellow students, some nearby and some no longer around, who embraced "C's" and "D's" with genuine gratitude.

Commencement is among the oldest of academic tribal rituals. No one has succeeded in reforming it. The procession is too long; the gown is too long; the commencement address, however brief, is too long. The graduates swear they will not attend such foolishness—only to relent to entreaties from family and friends. Both cameras and applause are "at the ready." Unless I am much surprised, you will be asked to withhold your applause as the diploma is handed to one person in the audience you care about—and unless I am much surprised that admonition will be occasionally ignored!

And why not? We celebrate today your individual achievement. Each graduate is a singular story of success in the face of obstacles, even great odds—the interruption and the moral burden of Viet Nam, lack of funds, long hours at a job, or even physical disabilities. This is why the commencement talk entitles you to day dreaming. You are free at last from any threat of a Monday test on this, the University's "last hurrah."

For all of us, the University of New Mexico must be a very special place. It has formed us in ways we shall never fully understand. It has tested our capacity, trained our intelligence, focused our ambitions, introduced us to ideas and to friends. At times it has exasperated and even enraged us. Rarely has it demanded too much of us, and more often than we dare admit, it has required too little of us.

For some of you, it has aroused moral sensibilities and stimulated a concern for the welfare of others—a concern, incidentally, that will, while giving you no peace, yield a richly rewarding life.

For others of you, the University has cemented a conviction that the world is a cruel jungle, that the Establishment is a fraud, and that nothing much can be done by anyone to change much of anything.

In short, some of you are confirmed in your instinctive idealism. For others, cynicism has ripened in full poisonous flower.

I note with special sadness that the architects and planners of the still-unfolding Watergate tragedy are, without exception, college graduates (the "best and the brightest"), whose leadership skills were honed to sharp edge in the best colleges and the best law schools and the best law offices of the nation. And very possibly we have here today men and women who will create their own Watergates in years to come. But for the great majority here, I trust that your skills will be exercised in the purposeful pursuit of good.

The University, in short, has introduced you to the wide sweep of human experience and possibilities.

But one special and vital dimension of modern life has been sealed off from you. The university that has shielded and sustained you, introduced you to new skills and new knowledge, shaped your character in ways both good and bad—that university has spared you the burden of understanding the university itself. We have busied you with many tasks, but by curious omission, we have failed to share with you our deep concerns about the integrity, the academic health, the vitality of the university itself. We have let you take for granted this complex system, this vital process, this elegant creation, this unique institution. And therein lies great peril, for if the graduates of our colleges and universities are not sympathetic and understanding spokesmen for the higher learning, who in America will support and defend, advance and promote the idea of the university.

I come directly to the point. There is tempting heresy loose in the land. Very simply, it is the dangerous notion that state universities are simply another agency of state government, a unit to be policed, regulated, and whipped into a bureaucratic mold. In this view, the university is simply a production unit in the Knowledge Industry, a kind of specialized factory processing human beings for strictly utilitarian ends. Clark Kerr, perhaps the most perceptive observer of the changing academic scene, is both precise and prophetic when he declares that the state-supported university is rapidly becoming "a regulated public utility."

Why have we come to this strange new vision of the university? For many reasons: because many believe that our business affairs are poorly managed, that we are guilty of competitive self-serving expansion, that the faculty have become a protected featherbedding elite, and finally that reform is paralyzed by internal quarrels. It is a harsh indictment, and it is being pursued with varying degrees of fervor and favor in many of the fifty states. The remedy is equally harsh. If self-regulation has failed, if the state universities are "out of control," then by all means impose the classic remedy of strong, external regulation.

Make no mistake about it. In state after state, a managerial revolution is steadily under way. It threatens to convert relatively free-standing, self-directing institutions of higher learning into homogenized state systems. The old faiths—academic freedom, institutional initiative, institutional flexibility—are pushed aside. The new articles of faith are control, coordination, efficiency, and something called "accountability." Like Gulliver, the university discovers that the combined strength of many small strands of red tape is enough to restrain and overpower. Though the Lilliputians were tiny people working with tiny threads, you will recall that Gulliver was indeed made helpless. It bears remembering that the Lilliputians be-

lieved they were busy in a good cause. So it is with our new masters. They are blessed with their own private visions of what is best for the university.

The managerial revolution in public higher education emerges from at least three distinct and powerful trends.

First, there is the impulse of government itself to extend its domain and its control. Whether the Politburo, General Motors, the White House, or state government, the impulse to control others lies deep in the grain of large systems. The historic independence of state universities has been for a long time an affront to state auditors, personnel departments, architectural offices, centralized purchasing bureaus, and the like. Their instinct for tidiness, sense of professionalism, and "territorial imperative" combine in persistent zeal to bring the university to heel.

Second, there is the rapid movement toward the development of powerful state systems of higher education. As new public services are demanded, as the taxpayer revolt gains momentum, as state governments everywhere endure the crunch of too many demands and too few dollars, and as the bill for higher education continues to rise, governors and legislators are driven to the search for economies in higher education. All this has given strong impetus to the development of powerful state systems of higher education.

The regulation of the life of the university began with a development that was clearly needed, and innocent of wrong motive. This was the creation of specialized state boards or commissions charged with "coordinating" the budgetary requests of the various state colleges and universities. But over the years, the coordinating boards have enlarged their jurisdiction and extended their powers in many states, they have moved inexorably from useful fact-gathering and helpful analysis to outright control and detailed intervention into the internal affairs of the universities. The power of decision on matters large and small has moved upward from individual institutions into the hands of strong state systems—with consequences we have only begun to grasp. In shared innocence Trustees and the American Association of University Professors hassle the president on matters that are now largely in the hands of the state system.

The system! It is not the system that we associate with George Orwell's "Big Brother." It is not a system operated by faceless, soulless tyrants lusting for power. It is much the same kind of system that you and I encounter when we struggle with the higher mathematics of our Federal tax return, or battle a zoning change, or try (as I did recently) to transfer the title of a car purchased in Colorado, mortgaged in New Mexico, licensed in Ohio, located in California, to a daughter residing in Oregon. It is a system run by friendly decent people who mow their lawns, pay their bills, worry about what this country is coming to—but people who themselves are often prisoners of rules, regulations and procedures that they are powerless to change.

Unfortunately, it is in the nature of systems that they always reach for more. In Wisconsin and North Carolina, the logic of system has crashed the final barrier. In both states, the state colleges and universities have been formally merged into a single, new all-embracing state university. It is a triumph of system—a new empire, a new total bureaucracy. And it sets the stage for the necessary next step, the homogenization of independent universities into a single megabureaucracy. Boards of Trustees are left with local "advisory" roles. They are like the appendix in the human body, without real function but capable of flare-up or sudden critical disruption.

The third element in the managerial revolution is the excessive reliance on the so-called "management tools." Some are

physical tools such as the computer. Most are conceptual tools—performance budgeting, cost-benefit analysis, the systems approach, and the like. These new tools—we are told—will lead us into the Promised Land of easy decisions and efficient management. Unfortunately, the tools themselves create the illusion that the vitality and integrity of the university is a direct function of management initiative.

The computer is the rightful symbol of what I choose to call the "management mentality." In the house of Dr. Strangelove, the managers program the computer, the Super Machine whirs hypnotically, and the computer printout yields masses of information—all in exquisite detail. In measuring things that can be counted or expressed in quantifiable terms, we are led unawares to the grand illusion—that only the measurable really matters. To the new managers the university is just another large system. It has raw material (students), a labor force (faculty and support personnel), instruments of production (classrooms, laboratories, libraries), a production schedule (academic requirements, classes admitted and classes graduated), management (the Trustees and central administration), and a production index (the cost of producing a student credit hour). In this view, faculty are worker bees, producing quietly, unobtrusively on schedule their "fair share" of the units of production. The Product (you) reflects "value-added" in manufacture. The cheerful assumption is that more has been put in your head than has been taken out!

Is this outrageous caricature? Of course, but it does capture the spirit of a trend. Around the country, right now, there is pressure in one or more states for the following: Standardized course offerings for "general education" in the first two years.

A standard calendar for all state universities.

Round-the-clock (7:00 a.m. to midnight) operation on a twelve-month a year basis.

Legislatively mandated teaching loads of nine hours at the graduate level, twelve hours at the undergraduate level.

A single computer system, a single library system for a state.

A job classification system locking every professor and employee in an appropriate niche.

Space utilization and building construction standards that treat all universities as if they were alike in all respects.

Am I suggesting that productivity is of no moment in the university, that money doesn't matter, that the university is accountable to no one? Of course not. Plainly there are advantages in improved coordination, in the sharing of expensive library and computer resources, in the imaginative use of technology, in better classroom utilization, in better use of the time and talents of the faculty. But is this the yield of the managerial revolution? Not at all.

Well then, has the managerial revolution made for the hiring of better teachers, for more inspired teaching, for more creative research, for better career counseling, for better organized curriculum, for a sharper sense of intellectual purpose? Has it made for better incentives to learning and intellectual growth? It has not. But has it put administration on its toes? Are presidents, deans, and chairmen made more efficient, responsible, and—to borrow the favorite "in" word of the managers—"accountable"? It has done none of these things. In my considered judgment, the managerial revolution creates the exact reverse of the goals that are sought. The impact of multiple sources of regulation on the university is to discourage flexibility, cripple initiative, dilute responsibility, and ultimately to destroy true accountability.

For the most part, the managerial revolution has meant the triumph of technique over purpose. We witness management "overkill." The university which is regulated by everyone becomes, by the most bitter of ironies,

accountable to no one. The invasion of external authority makes it virtually impossible to fix responsibility on anyone for educational results. With everyone in the act, who is finally accountable?

All this is happening because we fail to grasp the essential nature of the university. It is not "just another organization." It is a very special kind of place. It is more like the Metropolitan Opera than the Metropolitan Life Insurance Company. It is more like a church than a factory, more like a research lab than a highway department. The university is an intensely human enterprise. And it is not so much managed as it is led.

The work that we do defies measurements that matter. Our "production site" is the classroom and the laboratory. Everything that really matters and makes a difference in the lives of students takes place behind closed doors—far beyond the reach of managers. The bell rings and the 50-minute intellectual transaction begins. It's all there—the excitement or the dullness, the discipline of good teaching or the time-consuming rambling, the eager attention or the slack-jawed stare.

The quality of the intellectual enterprise—which is the only true measure—is the direct charge of the faculty. It is the faculty who must design the curriculum and the requirements; who must organize the courses of instruction; who must reshape courses and programs and stretch to be in tune with the times. It is the faculty who either have the future in their bones or have their bones in the way of the future. It is the faculty who must purge itself of the passionate true believers who prostitute academic freedom by promoting either the zealotry of the "new left" or the doctrines of the "old right." It is the individual faculty member who, in asking too little of himself, asks too little of his students—or the faculty member who, enthusiastic in his own subject, makes learning contagious.

The language of higher learning is so pre-tentious that we easily shrink from its exhortations. But it is an intellectual tradition that we transmit; it is professional competence that we demand; it is the sense of human possibility that we communicate; it is the insistence on intellectual rigor, in art and in science, that we proclaim. If this is conceit, make the most of it. For the university—this university—is not, cannot be, the prisoner of the new managers.

But neither can the public university be the captive of the faculty. It is the people that we serve, and their public interest that we seek to advance. Everyone has a stake in the work of the university—parents, students, faculty, governors, legislators, business, the professions, taxpayers, trustees—even presidents. Slowly, clumsily, we in the universities have evolved our own special forms of "participatory management." It will do no good for any of us to rail against external intervention. Instead, our challenge and opportunity is to devise wider and deeper networks of consultation. If consultation with faculty is necessary and desirable, so by the same token is university consultation with governors, legislators, and state coordinating boards.

Yes, universities are a very special kind of place. They are fragile as truth itself is fragile. They exist by public sufferance, and it is a marvel that the public at large supports with its dollars an institution that is independent, free-standing, openly critical of the conventional wisdom, friendly to disputation, enchanted with controversy, hospitable to those who "think otherwise."

May it always be so. The University of New Mexico is not just another agency of state government. Over the years it has stood tall and proud and free. It began in eager aspiration—a few brick and adobe buildings on the hill east of a tiny town on the Rio Grande, a few students eager to expand their horizons, a small band of professors who cared—and gave a lifetime of service in caring. Over the

years, the University of New Mexico has grown along with Albuquerque, with New Mexico, with the nation. Today, the tiny college is a major urban university, centered in the city and the state, with a reach of service and aspiration that would gladden the heart of the early pioneers.

The University of New Mexico: sand around and stars above, burning sun and quiet ripple of water in the river and the ditch, citadel of freedom on the hill, home of hope and promise of deliverance from ignorance. May this University be, now and forever, a very special place.

#### FOOD PRICE SPIRAL

Mr. MUSKIE. Mr. President, the time we have spent in our home States during the August recess has brought home to all of us the pervasive effects of the rising price of food.

Mrs. Margery Brown of Cherryfield, Maine, took the time to express her frustration in a letter to Agriculture Secretary Butz.

I ask unanimous consent that Mrs. Brown's letter be printed in the RECORD as an example of the depth of the frustration and anger among our constituents over the food price spiral.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CHERRYFIELD, MAINE,  
August 17, 1973.

Mr. EARL BUTZ,  
Secretary of Agriculture,  
Department of Agriculture,  
Washington, D.C.

DEAR SIR: Yesterday I went to the nearest city to do my grocery shopping. There wasn't a bag of flour on the shelves. Some stores had been limiting purchases one to a family. Two and five pound bags is an expensive way to buy flour.

Today I read in my local daily newspaper of a bumper crop of wheat. A Farmer Jensen standing in a pile of wheat in South Dakota. He has raised 8000 bushels. No place to store it, the bins are full. No way to ship it, the boxcars aren't available. Wheat is selling for \$5 a bushel compared with 1.75 a year ago. Who is making the 3.25? I'll bet it isn't farmer Jensen!

This is America—the land of plenty. Ha! Plenty too many "expert" dingbats trying to manage the economy. They sure have managed to make a mess of it.

For years now the government has been paying a subsidy to the farmers for the grain they raised and another subsidy not to raise grain or graze cattle. We, the taxpayers have paid for it. If there were some way to compute the cost of that performance and add it to the cost of our food purchases, which is what it actually amounts to, considerably more than 19% of our income has been going for food all these years.

Last year President Nixon made a big deal and sent tons of wheat to Russia all in the name of creating better "understanding" between the two countries. The Russian Government would cut our throats in a minute if they didn't need that wheat so desperately. That deal cost me a cent a pound for my bag of flour in the market. Someone made money on the deal and I'll bet it wasn't the Farmer Jensens of this country. That deal smells worse than a bin of rotten grain!

Last fall was a wet harvest season. There was a big fuel shortage flim-flam. There was no gas to run the dryers to dry the grain. There was plenty of gas to heat all these fancy enclosed shopping malls and huge stores. That is more important than drying our grain. That cost me another cent a pound for my flour not to mention the higher costs of other items using grain.

Then the Phase 1 thru 4 price fixing really



finished things. The Secretary of the Treasury said that he hoped Phase 5 would be Phase Out. It sure will. The price of all necessities will be phased right out of the reach of many and most of us.

It seems as tho in this day of transportation so good that the local stores now have their winter supply of such "necessities" as snowmobiles, snowmobile suits, etc., on the shelves, that it shouldn't be expecting too much if some of us would prefer to see food on the shelves. Flour isn't the only thing missing, just the most exasperating because we know the wheat is there.

I suppose I should be prepared to pay \$7-8 for a 25 lb. bag when it is available considering what happened to the price of eggs and chickens when the farmers killed off all the baby chicks because they couldn't afford grain.

Have you any solution to get that grain from South Dakota to us here in the east? Or should I plan to go to South Dakota with a couple of good solid Maine rocks and grind my own flour.

Yours truly,

Mrs. THURLAND BROWN.

#### LEONARD R. LINDGREN

Mr. SCOTT of Pennsylvania. Mr. President, just prior to the Senate recess, one of the most respected political reporters I had the privilege of knowing in Pennsylvania, L. R. Lindgren, of the Pittsburgh Press, died of cancer. He was a fine man, a reputable professional, and a friend. A news article from the Pittsburgh Press describes his career. I share it with my colleagues. An editorial the following day entitled "Goodbye to Lindy" also pays him tribute. I ask unanimous consent that both of these items be printed in today's RECORD.

There being no objection, the article and editorial were ordered to be printed in the RECORD, as follows:

#### L. R. LINDGREN, EX-STATE CAPITAL REPORTER, DIES

L. R. (Lindy) Lindgren, long-time Pittsburgh Press Harrisburg correspondent, died yesterday in his retirement home at Beach Haven, N.J.

Mr. Lindgren, who would have been 70 years old in September, had been head of The Press Harrisburg Bureau 24 years before retiring May 1, 1969.

As dean of the Harrisburg press corps in the last quarter of his career, Mr. Lindgren acquired more information on state government than can be found in a college thesis.

He covered 10 governors, beginning with Gifford Pinchot, in his tenure in Harrisburg, first for a brief span with the Associated Press and then with The Press.

He reported the activities and inactivity of legislators, bureaucrats and payrollers. He covered shakeups and shakedowns and "harmless little turkeys."

#### DISGUISED PORK BARREL

That's the expression for legislative bills that appear harmless, but when closely scrutinized are exposed as proposals that could cost taxpayers millions of dollars.

Mr. Lindgren covered a dozen national political conventions, including the 1964 Republican conclave where Gov. William W. Scranton of Pennsylvania failed in his last-minute, and slightly frenzied, bid to seize the presidential nomination from Barry Goldwater.

Totally without personal rancor, Mr. Lindgren usually remained on friendly terms with those whose foibles he reported or whom he needled in his Sunday column on The Press editorial page.

In 1952, he scored a major scoop when he disclosed that then Gov. John S. Fine had swung the Pennsylvania delegation be-

hind Dwight Eisenhower, dooming Sen. Robert A. Taft's presidential candidacy.

#### HOTEL EXCLUSIVE

In 1960, with characteristic relaxation, he reported another exclusive without leaving his Pasadena, Calif., hotel.

Instead of fighting traffic to reach convention hall in Los Angeles, Mr. Lindgren remained behind to splash in the pool. Suddenly he realized most members of the Pennsylvania delegation were likewise sticking close to the premises.

Sensing something unusual, Mr. Lindgren finally tapped a Pittsburgh source who informed him Gov. David L. Lawrence, who had been a holdout against John F. Kennedy, had capitulated.

This clinched the nomination for JFK, and Mr. Lindgren phoned the story to a Press rewrite man from poolside.

Sometimes Mr. Lindgren went too far. On one occasion, the late Lawrence J. Fagan, then Press city editor, was awakened at 4 a.m. by a phone operator who asked if the newspaper would pay for a call to Moscow.

She was, she said, relaying a call from a hotel where a guest named Lindgren wished to speak person-to-person with Josef Stalin, and charge it to The Press.

Mr. Fagan gulped and sputtered: "You tell that reporter of ours he has enough to do to cover Pennsylvania politics without horn-ing in on the Russians."

Mr. Lindgren was blessed with a retentive memory, and politics were sometimes nettled when he sat back, quizzically eyeing them, while others took copious notes.

An easy-rider, he could knock out a Sunday column in a matter of minutes, pausing only to slip a copy boy \$2 for a bet on a race at Pimlico, a track he occasionally visited when the legislature was adjourned and sometimes when it was in session.

A native of Fessenden, N.D., Mr. Lindgren entered the newspaper field at 20 as a sports and school news reporter for the Aberdeen, S.D., News.

#### WITH AP IN CHICAGO

He later moved to the Associated Press in Chicago and also served that wire service in Cleveland, Columbus, Omaha, Lincoln and Pittsburgh, where he was its bureau chief.

In 1933, he was transferred by the AP to Harrisburg, and scooped the state when he reported prohibition had been repealed two hours before the repealer was actually approved by the legislature. Mr. Lindgren said later he had become impatient.

In World War II he was public relations adviser to Gen. Richard K. Mellon, Pittsburgh financier, then director of the State Selective Service system.

On two occasions he was honored with State Senate resolutions commending him for fair and impartial coverage. He also won a Golden Quill award for outstanding reporting.

After retiring from The Press, Mr. Lindgren lived in Cherry Hill, N. J., spending the winter months in West Palm Beach, Fla., and the summer at Beach Haven.

Surviving besides his widow, are a son, Scott Laird of New Cumberland, Pa.; two daughters, Mrs. Louanne Steinbrenner of Erie and Mrs. Nancy Moore of Torrance, Calif.; three sisters, and six grandchildren.

Memorial services will be at 11 a.m. Wednesday in First Presbyterian Church, Haddonfield, N.J.

The family suggests memorial contributions to the American Cancer Society.

#### GOODBYE TO LINDY

The name was Leonard R. Lindgren, but to the many who came to know him through his work, including successive generations of politicians, he was simply "Lindy."

And he was more like a storybook character than most storybook characters.

He was ruggedly built, had the constitution of an ox, could turn out stories by the yard, knew just about everybody, could work the clock around when needed and had the quick perception of a truly great newspaperman.

For 24 years, Lindy served as chief of The Press Harrisburg Bureau. And when he retired four years ago he was dean of the news corps at the state capital—respected equally by those he competed with and those he wrote about.

Lindy's time ran out the other day, cutting short a well-earned retirement on the eve of his 70th birthday.

There's literally no way of calculating how much good he did by keeping the people informed about politics and government. But his contribution both to good journalism and to good government was as indisputable as it was immeasurable.

#### THE SENATE SHOULD ACT NOW ON THE GENOCIDE CONVENTION

Mr. PROXMIRE. Mr. President, in January of 1967, I pledged that I would rise in this Chamber every day to speak in favor of ratification of the Genocide Convention until this action was taken. It is now September 1973, over 6½ years later, and still the treaty has not been ratified. Why has the Senate not acted on the Genocide Convention?

Since adopted by the United Nations General Assembly on December 9, 1948, the International Convention on the Prevention and Punishment of the Crime of Genocide has been ratified by 75 nations, including most of our NATO and SEATO allies. It is embarrassing, to say the least, that the United States is not among the signatories. Why?

We have always prided ourselves on our efforts in the field of human rights. Indeed, our Declaration of Independence was created nearly two centuries ago with the belief that it was self-evident that all men were created equal and had certain inalienable rights—life, liberty, and the pursuit of happiness. And yet this body is unable to ratify a treaty that would help prevent genocide, a crime that unquestionably jeopardizes these inalienable rights.

Mr. President, I urge my fellow Senators to act positively on this treaty. The Genocide Convention must be ratified at once.

#### SAVING GRAND CANYON

Mr. GOLDWATER. Mr. President, the Grand Canyon of Arizona is, in my mind, the most beautiful natural wonder of the world. We who have seen it all of our lives and who love it want to protect it. To this end, I have a bill cosponsored by 27 other Members of the Senate and introduced into the House by Congressman MORRIS UDALL which would do precisely that. However, there are other dangers to the canyon and they involve people and accommodations and these must be watched as carefully as we watch the borders and the use of the canyon.

The Arizona Republic recently had an editorial which sums up the feelings of Arizonans relative to this problem. I ask unanimous consent that this editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

## SAVING GRAND CANYON

The Grand Canyon of the Colorado River is the fairest jewel in Arizona's crown of natural beauties.

Most tourists would rather see it than any other scenic attraction in the United States.

In 1972 a total of 2.7 million visited the Grand Canyon National Park. More than 500,000 vehicles passed through the entrances to the South Rim. This year's totals will be larger.

Last year 16,432 people took the boat trip down the river at the bottom of the canyon. That's more than had run the river in the preceding 100 years.

Foreigners usually put the Grand Canyon high on their itineraries when they come to the United States. According to one estimate, 40,000 tourists from Japan alone will visit the canyon this year.

All of which should be fine for Arizona, thanks to the \$600 million of outside money that tourism adds to the state's income each year.

But the rush to the Grand Canyon has not been handled properly. As Abe Chanin of the Arizona Star in Tucson put it last month: "What has happened to the South Rim of the Grand Canyon shouldn't happen to Coney Island. But it has."

Last May, Paul Dean, The Arizona Republic's columnist, described the "high-priced, low-quality disservices at Grand Canyon."

Service is atrocious in the once-gracious El Tovar Hotel. It sometimes takes an hour or more to get breakfast there.

The beautiful Bright Angel Lodge, with its breathtaking view of the canyon, is overrun with tourists and a snack stand has defaced it. The Fred Harvey Co. does its best to police the facilities, and the rangers have managed to preserve most of the park's flora and fauna.

But the sad truth is that Grand Canyon's ecology is fragile at best, and overuse will spoil it just as overuse has drastically reduced the attractiveness of Yosemite Park in California.

Max W. Hahn, chairman of The Arizona Visitors Promotion Council, has written a letter to the Fred Harvey management declaring, "While we understand and we are sympathetic with the scope of your problems and the limitation of resources available to you, we cannot understand the continued existence of substandard housing and feeding facilities, unsightly conditions, uncontrolled vehicular traffic jams and, worst of all, the alleged low level of training and the improper attitude of some employees regarding these problems."

The cheaper dollar will bring more foreign visitors to the United States and will force more Americans to spend their vacations at home. The millions who will want to see the Grand Canyon must be accommodated.

This might force the closing of the park to all vehicles carrying visitors who do not have confirmed room reservations. It probably will result in many more motels being built outside the park, say at Tusayan on the road from Williams to the Grand Canyon. Buses could carry the sightseers to the rim.

There is a need for more and better eating facilities, restrictions on river boats, controls over the number of people who can go down Bright Angel Trail to the bottom of the canyon.

It would be a disgrace if the incredible beauty resulting from aeons of wind and water erosion were marred by mismanagement, or if the precarious life of trees and bushes were wiped out by thoughtless trippers.

The Grand Canyon must be maintained in its pristine beauty. If it takes nudging from the people and the government of this state to get action from the federal government, then it's high time we all began to nudge.

Overwhelming public demand has kept

hydroelectric power plants out of the canyon. The same sort of demand should return the canyon to the sort of place that citizens delight in visiting.

## PROJECT INDEPENDENCE

Mr. MUSKIE. Mr. President, Project Independence, a highly successful program for senior citizens in western Maine, is beginning its third year of operation. From the beginning, the program was designed to help the elderly help themselves and each other. The project was the first of its kind in the country, and is now one of 22 nationwide.

A recent article in the Lewiston, Maine, Sun provides a good description of the project's services, and could be a prescription as well for similar efforts elsewhere. For this reason, I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

"OLD FOLKS" UNDERTAKE BIGGEST INDEPENDENCE MOVEMENT SINCE '76

(By Blanche Applebee)

WILTON—"Proud Downeasters" have a horror of being beholden. They would almost rather die than leave their homes, for they believe once you do, you are beholden to somebody for the rest of your life.

The biggest independence movement since 1776, Project Independence, provides the elderly with the necessities for a dignified life style.

Its purpose is to make it possible for older people to live in their own homes as long as they are able, by providing services that the elderly householder cannot manage by himself, but must have in order to run his own household.

The people who originated the idea of Project Independence did not go along with the idea that older people are helpless and dependent. This is proven by the fact that Project Independence is set up to be carried on by the older people themselves. The first step in the project was a survey to find out what services a program of this kind should offer. Elderly householders decided transportation, health care, need for information and recreation were needed.

## MAINE IS FIRST

Maine, number one to qualify, finished its first year of operating receiving the highest evaluation rating of the 21 different areas in the country to try out the Federal pilot program initiated to answer these needs.

The State organization which beat out the entire Country in obtaining that first grant was the Governor's Western Maine Task Force on Aging. Governor Curtis set it up to prepare for the White House Conference on Aging; its area was Franklin, Oxford, and Androscoggin Counties. An area that contains 16 per cent—18,500 people—of all the elderly people in the State.

The Western Maine Task Force was active in the over-all program that the five State Task Forces carried on. Results of this were made into a book called Steps for Maine's Elderly. John B. Martin, then the Federal Commissioner of Aging, sent copies of this to the State Departments of Aging in all 50 states.

It received the grant because its approach to the problems of the elderly was, that given a little help, here and there, they can solve most of them by their own efforts. Task Force members ran their own show. They were so become a force to be reckoned with. They active in legislative matters that they have

not only helped themselves, they helped their neighbors and their communities. And that's what earned them the big helping hand—Project Independence!

The Task Force is now incorporated as the Western Older Citizens Council; its executive committee is the advisory planning agency, policy making, and coordinating body for Project Independence.

The Project is administered by the Services for Aging Unit of the Maine Department of Health and Welfare with Steven Polederos of this unit as project director. Harold Collins, Wilton, is the executive director. His office, the head office, is at 8 High Street in Wilton.

## VOLUNTEERS

The all volunteer executive committee consists of, president, Rev. Carl Kingsbury, Rumford Point; vice president, Daniel Lowe, Auburn; treasurer, Clifford Noyes, East Wilton; secretary, Blanche Applebee, North Jay; County representatives: Androscoggin: Stella Jacobois, Lisbon Falls; Lottie Lake, Lewiston; Wilhelmine Tracey, Auburn; Franklin: Flora Ellis, Stratton; Nettle Rounds, Farmington; Eldon Shute, Sr., Oxford; Mildred Delano, Rumford; Ernest Talbot, South Paris; Meribah Bixby, Brownfield.

Thousands of reports of work for the program, for the community, and for other people are turned in each week. Here is a case where the government helps those who help themselves.

## TRANSPORTATION

The most important to most people is its transportation service. The 11 Project Independence mini buses travel thousands of miles a week; they cover an area as big as Rhode Island and Connecticut combined.

## A PROUD "DOWNEASTER"

Any time, anywhere in that area, you may see one of them roll to a careful stop. The driver jumps out, rolls back the sliding door, positions the step firmly, and helps the little lady with the big shopping bag to the ground. Then he tucks the shopping bag under one arm, the lady under another, and deposits them both on their own doorstep.

"Thank you, Ike," she says. "I don't know how we ever got along without these buses."

"You know, before we had them my mail used to lay right there in the post office a solid week or more. Why, everybody I know coulda died and been buried and I'd never known a thing about it."

She didn't say—because it went without saying!—that her mail could have lain there forever before she would have asked anybody to go out of his way to pick it up.

"Proud Downeasters".

## PRIORITIES

Bus trip priorities are (1) health needs (2) business (this includes shopping, beauty shops, library, cashing checks, etc.) (3) recreation.

Franklin County has four buses; Androscoggin, four; and Oxford, three. One of the Franklin County buses was bought with money appropriated by the Franklin County Board of Commissioners for the use of Franklin County senior citizens; In Androscoggin, a bus was bought by the Town of Lisbon for the use of senior citizens in Lisbon. Both buses are operated out of the Project Independence dispatcher office.

Franklin County's dispatcher office is at 105 Main St. Dispatchers are Edith Preston, Jay; Dorothy Gudgrandson, Farmington. Drivers are Robert Oliver, Farmington Falls; Cleston Drown, Chesterville; Floyd Karkos, Dryden; Issac Welch, Madrid; Robert Carson, New Sharon.

Androscoggin's office is at 65 Mill St., Auburn. Dispatchers are Simon Lavole, Auburn; Edythe Gagnon, Mechanic Falls; Muriel Bartasius, Poland. The drivers are: Ruth Haus-hill, Lewiston; Harold Ricker, Lisbon; Robert Boulet, Lewiston; Fernand Lavole, Lewiston.

Oxford has 2 dispatchers' offices: Market



Square, South Paris and 50 Congress Street, Rumford. County dispatcher is Joseph Farnham. Drivers: Perley Howard, Rumford; Milton Vaughn, West Peru; Harry Lowe, Oxford; Eugene Tardif, Norway.

#### THE HIRED GIRL

Next in importance after transportation are the health services. The Androscoggin Health Services and the Tri-County Health Planning Agency provide these. In addition to regular health services, this component includes the modern version of the hired girl—something most elderly householders need from time to time, but can't find.

These modern hired gals come in two styles, health aides—women who go into homes to care for the sick or the hospital convalescents, in order to shorten, or to eliminate hospitalization; Homemakers, who help disabled or infirm people with help with household chores.

#### "DARN GOOD WORKERS"

"Darn good workers—they gals!" one enthusiastic gentleman reported to his senior center. "Good looking, too. And you know something—never saw my wife get better so fast."

The major health services are the annual flu shots and the annual health screenings—both held at the senior centers. The health screening reached people who had had no medical attention for periods of 10 to 40 years—a few had never consulted a doctor. In several cases, the screening prevented serious—or even fatal—consequences.

Flu shot clinics and health screenings provide a good example of the way the four components of Project Independence add up to a pattern of related services for the elderly. The senior centers provided the meeting place; the mini buses brought the people; information and referral spread the word. In this case, it had to sell the idea as well. Over and over. If you've ignored doctors practically all your life, it takes more than a simple notice of a health screening to turn you on. You have to be sold. I and R did a good job on this, but there was still the woman who finally agreed to come, but made it plain that she wasn't taking off her clothes.

#### I AND R

The Information and Referral Office is at 65 Mill Street, Auburn. Mrs. Jeanine Sabat is the Information and Referral Specialist. Questions are called in toll free. If additional information is needed in order to answer a question, a VISTA worker visits the person who made the inquiry. VISTA workers are, Franklin County, Ora Dyar, Strong; Keith Dexter, Kingfield, Androscoggin; Jack McGuire, Lewiston; Ralph Petersen, Sr., Auburn; Stanley Bryant, North Leeds; Oxford, Alice Marvel, Canton.

I and R questions are usually about social security, pensions, specific services, and similar matters. Occasionally, one not so similar—for example, the one from the lady who wanted to know which senior center in the area had the most men members.

Whatever the lady had in mind, she was in the right neighborhood since the Senior Citizen Centers do provide the recreation component for the projects. And, while it is true that this particular type is not predominant, it is also true that, since girls will be girls and boys will be boys, center weddings do occur. The regular program, however, is made up of sociability, outings, eats, games, and varied programs. A Senior Citizen Center County Advisory Council coordinates the activities of the local centers and the volunteer work programs. A Tri-County Council has just been organized for the purpose of expanding the recreational program.

Another new service, still in the planning stage, is the meals program.

On May 30, Project Independence made a major change-over. Before that date, it had hired the Community Action Agency in each

County to carry on its Information and Referral and its Transportation services. When these contracts expired, the WOCC Executive Committee voted to take over the operation of these services. Henry Desjardins, Lewiston, was hired as supervisor. His office is at 65 Mill Street, Auburn.

Project Independence, now starting on its third year, has benefited not only the Tri-County area which it serves, but the entire State, as well. Adaptations of its programs have been set up in Kennebec County and in other areas. Eventually, they are expected to be available State-wide.

Project Independence—the helping hand that makes it possible for the elderly to realize their "hope of living independently" without "being beholden" to anybody.

#### LEWIS E. CONMAN, DECEASED

Mr. SCOTT of Pennsylvania. Mr. President, the people of the Commonwealth lost a dedicated public servant in the passing of Lewis E. Conman on August 26, 1973. I personally regret the loss of a very good friend.

As Director of the Pittsburgh District Office of the Department of Commerce, Mr. Conman established a record of professional ability and integrity that will long serve as an example to those who knew him and worked with him.

He was continually in the forefront of Federal service in many fields, those affecting industrial and economic development and those promoting the exports so vital to our Nation's economic well-being. In addition to his duties with the Commerce Department, he served as executive secretary of the regional export expansion council. His activities included a wide range of trade matters and public service, from leadership on trade policy to assisting minority entrepreneurs and the disadvantaged.

Mr. Conman was greatly respected and admired by his colleagues, and he was recognized for his work when he was awarded the Bronze Medal, the Department's special achievement award, and certificates of appreciation for outstanding contributions made in increasing the international commerce of the United States.

From May 1943 to April 1947, he served in the U.S. Maritime Service, achieving the rank of commander.

A leader in his community and his profession, Mr. Conman served as director of the Pittsburgh Technical Institute, president of the Pittsburgh Economic Club, director of the American Marketing Association, and a founder of the Pittsburgh Commerce Institute. He was also a member of the American Management Association, the National Institute of Packaging and Logistics Engineers, the American Society of International Executives, and the National Association of Business Economists.

Mr. President, this record of Lewis Conman's professional achievements and honors is a testament to his devotion and leadership in public service. We cannot, however, express similarly the sense of deep grief that is now felt by the many people to whom he was a friend and a source of inspiration. May I extend my regrets to his family and to all those who knew him.

#### OIL PIPELINE SAFETY: SLIPPERY REGULATION

Mr. ABOUREZK. Mr. President, I read with interest an article by Christopher J. Matthews entitled "Oil Pipeline Safety: Slippery Regulation" which appeared in the Washington Post on September 2, 1973. This article merits our attention because it exposes several of the most urgent problems we face today.

The Senate and House of Representatives have recently given their approval, in no uncertain terms, to the construction of the trans-Alaska pipeline. We must now make every effort possible to insure that this pipeline, and others which are already operational, do not endanger our health or our environment. Pipelines are indeed an invaluable means of transporting our Nation's fuels. But, as Mr. Matthews points out, pipeline-related accidents can be truly devastating. It is essential, therefore, that we begin to regulate pipeline transportation much more closely than we have in the past. Mr. President, it is nothing short of ludicrous that our Government employs only one engineer to supervise oil pipeline safety on a full-time basis, considering that there are more than 220,000 miles of oil pipelines in this country. The lassitude of the Government in pipeline safety regulation has resulted in fantastic losses. Mr. Matthews writes:

Last year, the DOT received reports on over 300 serious pipeline accidents. Some involved death and personal injury; property damage alone surpassed \$3 million. More than 360,000 barrels (12 million gallons) were reported lost in all. Yet even these statistics fail to give a full picture of the situation. The Coast Guard, with more comprehensive reporting requirements, has detected over 1,600 oil pipeline spills in the two years it has maintained records. Aubrey [the only government engineer employed full-time in oil pipeline safety] himself suspects that his department receives reports on only "5 to 10 percent" of actual pipeline spills.

This leads us to the fundamental issue of the effectiveness of Government regulation of industry in general. Mr. Matthews' argument that the Federal Government has been less than effective in regulating the oil industry is only one example of a very far-reaching problem. We must bear in mind as we pursue our business in Congress, that the central concern of Government regulation must be the interest of the people, rather than the interests of big business, such as those of the giant oil conglomerates.

It is our responsibility, as the elected representatives of the people, to do everything in our power to see that the regulatory agencies adopt this attitude to a greater degree than they have in the past.

Mr. President, I ask unanimous consent that "Oil Pipeline Safety: Slippery Regulation" by Christopher J. Matthews be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

#### OIL PIPELINE SAFETY: SLIPPERY REGULATION (By Christopher J. Matthews)

Anyone who questions the raw political muscle of this country's petroleum industry should pay a visit to Robert Aubrey.

Aubrey, a Department of Transportation

employee, works in the field of oil pipeline safety. It is his duty to insure that oil companies construct, maintain and operate their pipelines in accordance with existing government standards.

A job like Aubrey's would prove challenge enough under normal circumstances. As anyone familiar with Washington regulatory agencies is well aware, it is one thing to establish strict federal regulations: enforcing them when they collide with the interests of industry is another proposition.

Yet Robert Aubrey's mission is even more impossible. He is the only federal engineer assigned full-time to policing the safety of the nation's entire 220,000-mile oil pipeline network.

Last year, the DOT received reports on over 300 serious pipeline accidents. Some involved death and personal injury; property damage alone surpassed \$3 million. More than 360,000 barrels (12 million gallons) were reported lost in all. Yet even these statistics fail to give a full picture of the situation. The Coast Guard, with more comprehensive reporting requirements, has detected over 1,600 oil pipeline spills in the two years it has maintained records. Aubrey himself suspects that his department receives reports on only "5 to 10 per cent" of actual pipeline spills.

The reason for this is obvious. A large number of spills occur in desolate parts of the country, far from population centers. Pipeline companies feel little compulsion to report them, particularly since not one such firm has ever been fined a dollar for failure to comply with a federal pipeline directive.

Yet a federal statute—rushed through Congress in 1965—precludes the states and localities from enforcing oil pipeline safety standards on their own. The net effect has been to leave the industry virtually immune to regulation at any level of government.

There could be no greater tribute to the perennial success of Washington's most persuasive lobbying group and to a congressional committee structure which allows one or two key members to all but dictate special interest legislation.

On the night of Feb. 23, 1973, a Dodge van carrying eight persons was driving along a highway about 10 miles from Austin, Tex. For no apparent reason, the van stalled.

In the darkness, the driver failed to notice that two cars ahead of him also had stalled, and that their passengers had fled. He attempted to restart his engine.

The explosion which followed took the lives of four passengers and seriously injured the four others.

It was reported afterward that a ruptured liquefied petroleum gas line had been the cause of the accident. Escaping into the atmosphere, its highly volatile contents had spread to the roadway, several hundred yards away, causing the vehicles to stall. The explosion resulted when the driver of the van switched on his ignition key.

The oil spill has unfortunately become an everyday event in this part of the American Southwest. While few match its bizarre quality, the Austin tragedy was the hundredth serious pipeline accident in Texas in the course of a year. Only a week before, an Amoco line had burst in the central Texas community of Lebanon, spilling 13,000 barrels of crude oil into a nearby river and eventually into Lake Cleburne, the area's drinking water supply. Earlier in the month, a Chevron pipeline had ruptured, losing 30,000 barrels. DOT's Aubrey said recently that he was receiving "about one report a day" on a major U.S. pipeline spill. Approximately half of these reports come from the oil-producing regions of Texas, Oklahoma and Kansas.

Ken Biglane, an Environmental Protection Agency official responsible for coordinating clean-up operations, has likened the environmental impact of an oil spill to that of a forest fire. Vegetation killed, ground

cover destroyed, the sterile soil is left ripe only for erosion. Once the oil spill hits a lake or river, the damage to the ecology is equally devastating. The slick poisons the fish and forms a death-trap for waterfowl. When drained into the ocean, the oil globules remain just as lethal to sea life.

While oil industry public relations departments continue to dismiss these spills as "acts of God," a less partial observer might detect more mundane forces at work.

On Oct. 10 last year, 7,000 barrels of crude oil broke from a major interstate pipeline in northwestern New Mexico. Splashing into the San Juan River, the fast-moving spill was carried all the way to Utah's Lake Powell area before it could be contained.

The San Juan spill points up the current state of government oil pipeline safety regulation. First of all, there were the technical factors involved; the "poor condition" of the stretch of pipeline where the 26-foot break occurred was attested to by state engineers from New Mexico and Utah who later visited the site.

It was also found that, on the day of the rupture, the Texas-New Mexico Pipeline Co. was pumping oil through the line at the rate of 940 pounds per square inch, 80 pounds greater pressure than the average recorded for the previous six months. The day of the spill was the line's first day of operation after a three-day shutdown over the Columbus Day weekend.

According to Wayne Carlson, an engineer with the Utah Public Service Commission, the oil firm has acknowledged several earlier spills in this area as well as a major rupture in 1965; yet, at no time did state engineers, either from Utah or New Mexico, have authority to insure that proper safety precautions were being followed.

The possibility of action at the federal level was equally remote. DOT's Aubrey says the type of welding used on the Texas-New Mexico line has been responsible for a number of pipeline spills over the years; yet, since the line was laid prior to 1969—when existing federal regulations were published—it is not subject to testing. About 95 per cent of U.S. oil pipeline falls into this category.

Even if the regulations were changed, little could be accomplished. On-site inspections call for field staff and resources, neither of them available. In his 20 months with DOT, Aubrey has been able to inspect the scene of only this one spill.

Thus, on the one hand, the states are preempted by statute from taking action; on the other, the federal government doesn't try to fill the breach. One DOT official, whose division held nominal jurisdiction over oil pipeline safety for five of the last six years, puts it this way: "You don't have a very effective program with no one in it."

From the petroleum industry's point of view, the history of federal lawmaking which created this regulatory void is a work of art.

In 1921, Congress amended the Transportation of Explosives Act to give the Interstate Commerce Commission full jurisdiction over oil pipeline safety. For the next 39 years, the jurisdiction rested there, undisturbed. No safety regulations were published. No staff was hired to implement a pipeline safety program.

Even this nominal jurisdiction was withdrawn in 1960. In an amendment to the act, the phrase "other than pipelines" was added to the definition of an interstate "carrier." A former legislative counsel with the ICC said recently that the gratuitous insertion "sounded like a slick job of lobbying."

The action went unnoticed for three years (not surprising, since the 1921 legislation had never been implemented).

In 1963, however, a group of citizens in the Wilmington suburb of Kennett Square, Pa., became alarmed at the prospect of a major interstate gasoline line being laid through neighborhoods without even the pretense of

government regulation. Frederick Lang, an engineer and spokesman for the group, said recently that when he asked officials of the Colonial Pipeline Co.—a subsidiary of Texaco, Phillips, Gulf and a number of other major oil producers—to name the authority to which it had submitted construction plans, he was told "none."

On hearing this, the 100-member citizens' group appealed to a county judge. After three days of hearings, the judge required full testing of all Colonial pipeline being laid in the county. When it became clear that the pipeline company intended to evade the local court order, the citizens went to the Pennsylvania Public Utility Commission.

Although the utility commission failed to halt construction, the experience had a strong impact on the pipeline company. Rather than get bogged down in such legal squabbles in the future, Colonial went directly to Washington for federal legislation to preempt state and local governments from the oil pipeline safety field. A former ICC counsel recalls that about this time Colonial, together with representatives of the 80-member Association of Oil Pipe Lines, approached the ICC "on the staff level," urging that the commission introduce legislation to achieve that purpose.

The Washington lobbying effort paid quick dividends. John Jarman, a congressman who represents the oil center of Oklahoma City, introduced legislation to restore nominal federal jurisdiction in the oil line safety field. Jarman has reported sizable investments in Texaco, Amoco, Exxon and Gulf. Though otherwise an obscure member of the House, he sat as a senior member of the Transportation Subcommittee, a position which offered him ideal leverage to expedite the pipeline safety legislation.

On May 18, 1965, this subcommittee held hearings on the Jarman bill, a measure whose clear intent was to protect the oil pipeline industry from substantive safety regulation at the state and local level. The only witnesses present were those of the oil industry and the ICC, which was now firmly behind the measure. H. G. Squire of Service Pipeline Co., Tulsa; H. G. Fair, president of Phillips Pipeline Co., Bartlesville, Okla.; J. S. Horner of Shell; counsel for the Association of Oil Pipe Lines and ICC Chairman Charles A. Webb had all come to support the bill.

Subcommittee Chairman Harley Staggers (D-Va.) expressed surprise at this impressive display of solidarity between industry and regulatory agency: "This is certainly a peculiar circumstance in that we have a statement here of the industry coming in asking for legislation to put them on regulation."

Responding to this point, ICC's Webb admitted that the only real purpose of federal involvement in this regulatory field was to keep other levels of government out of it. The subcommittee apparently accepted this argument that there was no need to establish a realistic regulatory body at the federal level. Its favorable report on the Jarman measure read: "The enactment of this legislation would result in no appreciable difference in the administrative costs of the ICC." (Even for the government, doing nothing can sometimes be quite inexpensive.)

The industry-backed legislation moved through the Senate just as smoothly. On June 3, 1965, an ICC-proposed measure identical to the Jarman bill was taken up by the Senate Commerce Committee. Sen. Mike Monroney (D-Okla.), who was to chair the only day of hearings on the measure, lost little time in demonstrating his loyalties. After hearing testimony from an assemblage which included executives from Phillips, Service, Shell and Colonial, the acting chairman condemned local and state efforts to enforce safety laws as "participation by interference." Speaking directly to the oil people, Monroney said: "I think you have made



a strong case in this matter and we appreciate your coming up here to advise the committee on this legislation."

The citizens' group from Pennsylvania (which had been informed of the hearings only through the efforts of Ralph Nader and committee counsel Michael Pertschuk) received a cooler greeting from Monroney: "We now have a group from West Chester, Pa., and a commissioner of Chester County, who are here to testify with reference to a local matter, regarding a pipeline within their state. We will be delighted to hear from them this morning although I don't know of any pending legislation that their testimony affects."

On this inauspicious note, Frederick Lang, the group's spokesman, voiced his concern at the futility of trying to do battle with "the well-organized and well-financed petroleum industry." Citing the case of a major gasoline pipeline accident in Louisiana earlier that year, he pleaded with the committee not to preempt the states from the oil pipeline safety field without first establishing the "detailed technical provisions necessary for an effective safety code" at the national level.

Lang's arguments had no impact. On June 13, 10 days later, the Senate accepted the pipeline measure by voice vote. There was no debate.

On the day before, the House had passed the companion bill. There was neither debate nor a recorded vote. At the time of passage, only one congressman rose to speak: John Jarman of Oklahoma. He spoke in favor of the measure.

Since it had never been the legislators' intention to actually assert the oil pipeline safety jurisdiction, but merely to preempt the states from the field, the next eight years of federal buck-passing could have been easily foreseen.

From 1965 to 1967, the ICC, with full jurisdiction over the oil pipelines restored, did nothing with its new responsibility. No regulation was published. No staff was hired.

In 1967, jurisdiction was passed to the Department of Transportation's Federal Railroad Administration. William Black, director of its Hazardous Materials Section, which was given the responsibility, has since reported that he had been given "zero funds and zero personnel" to carry out this assignment, an absurd one for an agency whose primary function had been the safe loading and unloading of explosive materials from railroad cars. "You can't very well ask a railroad man to evaluate a plan for a pipeline," he said.

Last Aug. 22, Congress again transferred the oil pipeline safety jurisdiction, this time to DOT's Office of Pipeline Safety, which previously had been responsible only for natural gas lines. A House committee report which urged the transfer had warned, "Heretofore, the operations of the Office of Pipeline Safety have been handicapped by the unavailability of sufficient numbers of qualified personnel." At the time of this report—June, 1971—the office employed eight engineers, responsible for 1.4 million miles of natural gas line. Today, with new responsibility over the 220,000 miles of oil pipelines, it employs the same number. Only one of these engineers, Robert Aubrey, works full-time in oil pipeline safety.

#### DR. ROBERT E. DAY, PRESIDENT OF THE AMERICAN OPTOMETRIC ASSOCIATION

Mr. TOWER. Mr. President, recently, Dr. Robert E. Day, a constituent of mine from Garland, Tex., was inaugurated as president of the American Optometric Association during its annual convention in San Francisco. I congratulate Dr. Day on this honor, the highest elected office of AOA, and I feel that it represents a

tribute to the outstanding contributions he has made to his profession.

Dr. Day has always demonstrated a dedication to excellence. He is past president of the Texas Optometric Association and the North Texas Optometric Society. He chaired the Texas Foundation for Education and Research in Vision, and in 1970, the Texas Optometric Association honored him with its distinguished service award.

Since 1967, Dr. Day has served as a member of the American Optometric Association's Board of Trustees. He has served 1-year terms as vice-president and president-elect of the 17,800 member association.

Dr. Day's dedication to optometry is a family tradition. As he said:

When I received my doctor of optometry degree, I recognized that it was, in many ways, a legacy handed down from my father and grandfather, who were both optometrists. I felt a duty to protect that legacy but, at the same time, to build on it so that it would continue to be a viable profession to bequeath to my son and his contemporaries.

Dr. Day has served as national director-trustee for optometric practice and for education and manpower. He has a fine understanding and concern for providing the highest quality of optometric care to meet the vision care needs of the Nation's population. He recognizes the need to integrate the provision of optometric care into all types of health care delivery systems. He has repeatedly, as a leader of national optometry, recognized the importance of education and manpower. He foresees the need for 17 new schools and colleges of optometry within the next 20 years in order to meet the optometric manpower needs of the Nation. I applaud Dr. Day on his foresight and wish him well in directing the association on this ambitious task.

Somehow this active optometrist has found time to serve the interests of the community outside the field of vision care. He has served as vice president and member of the Garland School Board, member of the Garland Chamber of Commerce board of directors, president of the Garland Jaycees, chairman of the city park board and member of the Methodist Church official board. He is now serving as a member of the Dallas County School Board.

We can well appreciate the efforts made by conscientious health professionals on behalf of the health care of all the people in the Nation. Health care is a basic requirement for each of us. Vision is an important component of that total picture of health. I must commend Dr. Robert Day for his devotion to his profession and the quality of optometric care in this country as well as his service to his community. I also must congratulate the American Optometric Association on its fine choice for leadership and its concern for the well-being of our citizens.

#### SALUTE TO RAY BALDWIN

Mr. RIBICOFF. Mr. President, on August 31, 1973, Ray Baldwin of Connecticut celebrated his 80th birthday. I join with many others in saluting this distinguished statesman who has spent

his entire career serving the people of Connecticut.

He has served as a State representative, prosecuting attorney, town court judge, Governor, U.S. Senator and Chief Justice of the Supreme Court of the State of Connecticut.

I ask unanimous consent that the following article from the September 2, 1973, Bridgeport Sunday Post describing Judge Baldwin's remarkable career be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RAY BALDWIN AT 80 STILL REIGNING AS STATE'S ONLY THREE-CROWN CHAMP

(By Russell J. Redgate)

Raymond E. Baldwin, who began his political career in Stratford nearly half a century ago and went on to become the only man in history to hold Connecticut's three highest public offices—governor, U.S. senator and chief justice of the State supreme court—turned 80 last Friday, still going strong, still wearing the same size hat and still likely to keep it that way.

As to health, he's tanned and fit after a summer of weekend and vacation boating, looking as formidable as ever, a solid six-footer with the grip of the farmhand he used to be on his grandfather's country layout in Beacon Falls.

#### TESTIMONIAL SATURDAY

As to pride, a frequent frailty of the famous Connecticut's outstanding Republican of modern times has reaped hundreds of thousands of cheers in his day, so a thousand more on Saturday when friends greet him at a birthday testimonial in Middletown will go to his heart instead of his head, as always.

During a chat the other day at his home in Middletown, the subject of humility didn't come up specifically, but a vivid vignette that Judge Baldwin sketched in reference to a Republican national convention in the 1940s is significant enough.

"At the end of one of the convention sessions," he said, "I went downstairs to the basement of the hall to get my gear, and all alone in the big empty cavern, searching for his coat, was my old friend Herbert Hoover."

"There he was, all by himself, the former President of the United States, looking for his coat in the gloom. Sic transit gloria mundi..."

#### FOR PRESIDENT

Ray Baldwin has had his own wealth of worldly glory, capped in some respects at the 1948 GOP national convention in Philadelphia, incidentally, when his name was among those presented for nomination for the Presidency—said to be the first time a major party had accorded such an honor to a resident of Connecticut.

This no doubt will be one of his legion of laurels which speakers at Saturday night's testimonial will review, although "The Friends of Raymond E. Baldwin" who are sponsoring the event come from virtually every political party and none.

The dinner will take place in the arena of Wesleyan University, Judge Baldwin's alma mater, not too far from his present home in the soft green hills on the outskirts of Middletown and closer yet to the street where he grew up in his boyhood and youth.

#### NOW STATE REFEREE

He still serves Connecticut from his office in Middletown, it should be noted. Since his retirement as chief justice in 1963 he has been a state referee and works at it five days a week, year round.

He might be doing this job in Stratford today if circumstances had not intervened.

He said he and his wife, Edith, were hoping in the late 1960s to move back to Stratford, where they'd lived about 30 years, but Edith's

health was failing and they remained in Middletown. Mrs. Baldwin died there in March, 1970.

"My life hasn't been the same since then," he said.

He was born Aug. 31, 1893, in Rye, N.Y., the son of Lucian and Josephine Jones Baldwin. Lucian, from Beacon Falls and a long line of Connecticut ancestors, was in the wholesale grocery business and had gone to Rye to accept a store position, which he gave up in 1903 for a better one in Middletown.

#### DISTINGUISHED CLAN

Judge Baldwin's grandfather, Herbert Clark Baldwin, was a state representative from Beacon Falls for 18 years, and among Herbert's maternal forebears was Thomas Hooker, a colonial founder of Connecticut. Also a distant relative was Simeon E. Baldwin, a New Haven Democrat, who was chief justice of the State Supreme court from 1907 to 1910 and governor from 1911 to 1915.

Ray was graduated from Wesleyan in June, 1916, and entered Yale Law school that fall—"I'd always wanted to be a high court judge," he tells you—but World War I interrupted his law studies. He joined the Navy the day after Congress declared war on Germany, April 6, 1917.

He served as an officer aboard a destroyer on convoy duty in the submarine-ridden North Atlantic, returned to Yale Law after the war, received his degree in June, 1921, got law firm jobs in New York and then in New Haven, and on June 29, 1922, he married Edith Lindholm, a graduate of Connecticut college, New London, whom he'd known since Middletown high school days.

For the rest of their wedded life, she was his prized political asset as well as his constant companion and mother of their three sons.

He chuckled last week when reminded that, as reported in his friend Curtiss S. Johnson's 1972 biography, veteran Post Publishing company political editor William J. Walsh once told Ray in the middle of a campaign: "I don't think you can get elected, but Edith could."

#### BRIDGEPORT LAWYER

In 1924 Mr. Baldwin became associated with Pullman and Comley (now Pullman, Comley, Bradley and Reeves), then and still a leading Bridgeport law firm. He and his wife rented an apartment on Savoy street in the city's North End. Their first son, Lucian, was born here in 1925.

Pullman and Comley were lawyers for the Town of Stratford and Ray was brought into continual contact with Stratford affairs, to such an extent that he and Edith shortly took up residence in the town. They were to stay, living on Judson place and on Elm street, until 1954. By that time, "Mr." Baldwin had been "Governor" Baldwin for six years, "United States Senator" Baldwin for three, and "Justice" Baldwin for five. He was named chief justice in 1959.

In Stratford, as Judge Baldwin emphasized anew last week, it was the late Charles E. "Shang" Wheeler who "started me off in politics. His counsel and advice were invariably sound. He was a great politician and a good friend to me." Mr. Wheeler was a former state senator, Republican State Central committeeman and Stratford Town chairman.

With Shang's assistance, Judge Baldwin became prosecuting attorney in the Stratford Town court in 1927, the year the Baldwins' second son, Raymond Earl, Jr., was born.

#### FIRST ELECTION

In 1930, again at Shang's urging, he ran somewhat reluctantly for state representative on the GOP ticket and won. A third son, Tyler arrived that year.

In 1931 he was Stratford Town court judge. The next year he was reelected to the General Assembly and served in the 1933 session as Republican majority leader in the House, in which his abilities earned him statewide

attention and launched him on the road to the governorship.

The highlights of Judge Baldwin's career from his first election as governor onward are permanently in the public domain but may be summarized here with the aid of Mr. Johnson's study-in-depth book, "Raymond E. Baldwin"; newspaper clippings by the trunkful; reporters' reminiscences by the glassful, and reflective commentary by the protagonist himself.

#### NEW GOVERNOR

In 1938 he won a surprising victory over venerable four-term Democratic Gov. Wilbur L. Cross by a bare 2,688 votes, provided by the minor Union Party and helped or hindered by the late Bridgeport Socialist Mayor Jasper McLevy's amazing gubernatorial tally of 166,253. Ray polled 227,191 Republican ballots and 3,046 under the Union party label. Cross drew 227,549 in the Democratic column.

—In 1940 he lost his bid for a second term (two years in those days) to Bridgeport Democrat Robert A. Hurley by 13,000 in President Franklin D. Roosevelt's landslide win over Wendell L. Willkie, Republican. Ray made a late start on his own drive for governor while spearheading Willkie's efforts in Connecticut and elsewhere. He had been Willkie's floor manager at the national convention.

—In 1942 he ousted Governor Hurley from office by a plurality of 26,000.

—In 1944 Governor Baldwin defeated Bob Hurley again, this time by 25,000 despite the fact that President Roosevelt, in capturing a fourth term, carried Connecticut by 43,000 over Republican Thomas E. Dewey of New York.

#### TO THE SENATE

—In 1946, although he had announced the year before that he intended to retire from politics at the conclusion of his third term, he accepted nomination for the U.S. Senate. In the fall he trounced Democrat Joseph M. Tone of West Hartford by 104,700 votes, a record off-year plurality up to then and a powerful showing that did nothing to damage Judge Baldwin's image as the Republicans' state champion vote-getter.

—In 1948, he was placed in nomination by the Connecticut delegation to the GOP national convention as a candidate for president, with his wife and son Ray, Jr., seated in the gallery behind the convention rostrum. Tom Dewey, it turned out, was the eventual choice to make a second run for the presidency but, except in an early edition of the Chicago Tribune, lost to President Harry S. Truman in one of America's most astounding political upsets.

—In 1949, frustrated in his attempt as leader of the "Young Turk" freshmen Republican senators to liberalize the national GOP, feeling shunned by some party chieftains at home, and waging a futile economic battle against life in Washington, D.C., the senator finally made a move to fulfill his longstanding ambition for a high-level post on the bench; he was appointed by Democratic Gov. Chester Bowles to the State Supreme court. Ray then was 56.

His resignation from the senate, which allowed Governor Bowles to name his close friend William Benton of Fairfield, a Democrat, to the vacant seat, caused controversy among Republicans, but editorial comment generally was sympathetic. For example, the late George C. Waldo, editor-in-chief of the Bridgeport Post-Telegram, wrote that "because a man is a public servant, he is not necessarily a public slave, though the tendency to treat him as a slave seems to be growing. Everybody wants somebody else to make the sacrifices."

#### THIRD CROWN

—In 1959 he was appointed chief justice by Gov. Abraham Ribicoff, and served until he reached the mandatory retirement age of 70 in 1963.

—In 1965 he was chosen chairman of the

bi-partisan Connecticut Constitutional convention, convened to update the 1818 State Constitution and to restructure the General Assembly so as to conform to the U.S. Supreme court's "one man-one vote" rule.

Now, looking back over 80 years from the living room of his comfortable home in Middletown on a bright summer morning, he said simply "the Lord has been especially good to me."

"I'm sure I've made some mistakes," he said, "but I suppose if I had it all to do over again, I probably wouldn't do it any differently. Maybe I'd work a little harder in school and college—although I really dug in at law school."

#### MASTER, NO

He added, however, that he doesn't subscribe completely to the "Invictus" declaration that "I am the master of my fate, I am the captain of my soul."

"You may be the captain of your soul, all right," he said, "but you can't be the master of your fate. Too many things happen in life that are beyond your control."

The source of his deepest happiness, he said, "has been my family, and then the people I've known."

Among others, he spoke of "Shang" Wheeler, his original political mentor; the late J. Kenneth Bradley of Westport, a Republican state chairman and national committeeman and Judge Baldwin's law partner in Pullman and Comley; Samuel F. Pryor, Jr. of Greenwich, former GOP national committeeman now inactive in politics; Bridgeporter James C. Shannon, former governor and Supreme court justice, and Warren J. Faust of Stratford, a leader in the "Baldwin-for-Governor" clubs in Ray's triumphant 1938 campaign.

#### COUNTY VISITS

He reported he occasionally sees some of his Fairfield county friends and former associates when he's down this way, which is fairly often since two of his sons, Ray, Jr., and Tyler, live in Fairfield. Lucian is a resident of North Canton, northwest of Hartford.

There are 13 Baldwin grandchildren, he tells you without prodding.

Lucian and Ray, Jr. are lawyers, and Lucian also is a business executive. Tyler is a vice president of the Connecticut National bank. Ray, Jr., incidentally, is a partner in his father's former law firm here.

About people, Judge Baldwin cites the old saying, which he tentatively attributes to Lincoln, that "I never met a man or woman I couldn't like," and says that's been true for him.

#### MCCARTHY VICTIM

He modifies this on second thought, however, indicating he "wasn't too keen" about the late Sen. Joseph R. McCarthy of Wisconsin, with whom Ray tangled in his last months in the Senate. McCarthy had criticized Senator Baldwin's role as chairman of a Senate Armed Services subcommittee investigating alleged brutality by some U.S. Army interrogators against German prisoners involved in the World War II Malmédy massacre. Judge Baldwin is regarded by some as Senator McCarthy's "first victim."

Among people he said he likes are newsmen, confessing with a smile that he "was a newspaperman once myself," having been a reporter for the old Middletown Sun in his high school years, covering school sports and academic events.

"I always enjoyed talking with the Capitol press corps when I was up in Hartford," he said, "I used to ask their advice on a lot of matters, how to handle this news item and that."

"I'd try out ideas on them, too," he said, "and ask them what they thought of such and such a proposal I might have in mind, and I remember Bill Walsh of the Post-Telegram was liable to say that'll go over like a lead balloon. Bill was a guy who said what



he thought, not what he felt you wanted to hear."

#### COOPERATION

While he was governor, he said he'd brief reporters in advance on details of a statement he planned for the next day, so they could write the story ahead of time and hold it for release. "I was familiar with the deadline rush," he said.

"And I can't recollect a single instance when a newsman broke a release date."

Regarding politicians and publicity, Judge Baldwin said "I never thought politics was a dirty word. Some politicians misbehave, of course, but I'd say the average for those who go off the team is no worse than for any other profession. The difference is that politicians are in the public spotlight. They're in a goldfish bowl—which is as it should be."

Ray Baldwin, on the other hand, has won his way to relative privacy nowadays, after decades on the front page.

#### THE COMMODORE

A week or so ago he had been cruising the Long Island Sound and Rhode Island coast with his son Lucian and family aboard Lucian's sloop, with a stopover at Block Island to attend the 25th anniversary of the Raymond Baldwin Yacht club. "It was organized by some friends of mine and I'm the incumbent honorary commodore," he says, laughing.

He has his own 30-foot power cruiser based at a boatyard in Portland, across the Connecticut river from Middletown, and takes it down to the sea every chance he gets. For many years he was an avid trout fisherman but hasn't got his boots wet of late.

#### BACK TO WORK

This week, his vacation over, he goes back to work as a state referee. He says he's happy on the job and glad to keep busy since the death of his wife.

He hears a wide range of cases—contracts, property condemnation proceedings, divorces—and recently presided at the hearing of a suit involving a chicken farmer and an egg producer that lasted 55 days.

As a lawyer, he remembers, he was counsel in the 1940s in a court action relating to Bridgeport area church issues which consumed several months and which is still on record as the longest civil trial ever conducted in Connecticut.

Right about here, you figure the interview itself has kept Judge Baldwin all too long from his vacation relaxation, so you say goodbye and head for the door, where you somehow manage to pull off the brass knob and a handful of assorted accoutrements.

He brushes your apologies aside, "It was broken last week," he grins. "I fixed it, but I guess you just proved I'm a better lawyer than locksmith."

#### JAMES F. WELSH, DECEASED

Mr. SCOTT of Pennsylvania. Mr. President, today is the funeral of James F. Welsh, a Washington Star-News editorial writer whose fine reporting and wry spirit will be much missed by the many of us who knew and respected him.

I remember Jim as a keen and incisive newsman at editorial conferences at the Harrisburg Patriot-News in Pennsylvania during one of my frequent interviews with the editorial board. During his years in Harrisburg, he earned 10 journalism awards in as many years.

He joined the Star-News in 1964, and became an editorial writer 2 years ago.

Mr. President, the death of Jim Welsh at the age of 44 is a tragedy not only to journalism but to those who knew and respected him as a human being with a zest for life.

May I express my sympathy to his family and his many friends.

The Washington Star-News of September 4 eloquently recalled Jim Welsh. I ask unanimous consent that this editorial be included in today's RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

#### JAMES WELSH

Thousands of people who were not lucky enough to know Jim Welsh are going to miss him. For Jim, whose body was recovered Saturday at the mouth of the Severn River after a boating accident, brought to readers of these columns a rare synthesis of qualities: intelligence, energy, compassion and commitment. This commitment was not to party or ideology or cant but to truth and decency and fairness.

Jim wrote most of our national political editorials, but he also had a special interest in the issues which affect people's lives most directly: housing, welfare, race relations, education. Marrying a lucidness of style to an incisiveness of logic, he had the rare talent of being able to reduce complex problems to understandable dimensions, to get to the heart of a matter.

To those of us who knew and worked with this gentle person, the personal loss is immense. Like all men, Jim had his problems. These he kept to himself, sharing with us only his elfin wit, his irrepressible good humor and his sound counsel.

Polio had wasted one of his legs, but it could not warp his Rabelaisian spirit or quench his Celtic zest for life. He was, in the only sense that matters, a whole man. Disheveled, uncombed, his shirt-tail inevitably askew, he made you want to laugh, and you did and it was good.

After his family, his friends and the truth, he loved best bagpiping and sailing on the great bay which ultimately claimed his life. And if it happened of a summer evening at anchor off Drum Point you heard a piper piping a Highland lament, it was Jim who brought a strain of bittersweet wanting to your cocktail hour.

For all of us the end is much the same, the grave is the final equalizer and human memory is short. But it is a measure of the man he was that for many years, whenever the pipes skirl or the wind sighs in the rigging, when Cassiopeia's starry chair tilts across an autumn night sky and a bottle of scotch is uncorked by sailors after a long day's beat down the Bay, Jim Welsh's memory will be green in the hearts of those who knew him.

John Donne wrote that "every man's death diminishes me." We, who were so profoundly enriched by Jim, are diminished by the loss of him. He went from us too soon.

#### PLUNDERED WEST: COAL IS THE PRIZE

Mr. ABOUREZK. Mr. President, I am deeply concerned about the implications of an article entitled "Plundered West: Coal Is the Prize," written by Alvin M. Josephy, Jr., which appeared in the Washington Post on August 26.

In this article, Mr. Josephy discusses the future of the huge mineral reserves of the States of Wyoming, Montana, North Dakota, and South Dakota. He notes that—

These States sit atop the richest known deposits of coal in the world. There are at least 1.5 trillion tons of coal within 6,000 feet of the surface, and perhaps more than 100 billion tons so close to the surface—in seams 20 to 250 feet thick—as to be economically recoverable today by the rela-

tively cheap modern techniques of strip-mining. This is, staggeringly, 20 percent of the world's total known coal reserves and about 40 percent of the United States' reserves. (The total national figure would be able to supply the country for an estimated 450 to 600 years should the present use trend continue.) But perhaps even more significantly, in view of recent environmental concerns, the sulfur content of these high-quality sub-bituminous coal in Montana and Wyoming and lesser grade lignite in northeastern Montana and North Dakota is low enough to meet the new air pollution standards for coal-burning powerplants in urban areas.

Since Mr. Josephy's article appeared, we have been presented with an administration plan to prohibit power generating plants to switch from coal to cleaner burning oil. The administration claims that this plan is in response to the so-called shortage of oil in this country.

We must further bear in mind that as our country grows, so does its demand for energy. It is an indisputable fact that coal is a prime source of energy. But we must also recognize that it is an invaluable national resource. One would be foolish to suggest, Mr. President, that we must forever inhibit the recovery and use of coal for energy production. It is my view, however, that we should have as our fundamental aim the conservation of as much coal as is possible, for as long a time as possible. Until other energy sources are no longer attainable, we must refrain from despoiling our land and depleting our precious resources.

When the time comes to recover our coal, Mr. President, we must have a rational and equitable set of standards with which to supervise recovery. These standards must be designed to insure that as little environmental damage and social displacement occurs as is humanely possible.

Mr. President, I ask unanimous consent that Mr. Josephy's articles "Plundered West: Coal Is the Prize," and "One Family's Tense Holdout" be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

#### PLUNDERED WEST: COAL IS THE PRIZE

(By Alvin M. Josephy, Jr.)

In October, 1971, a "coordinating committee," composed of the U.S. Bureau of Reclamation and 35 major private and public electric power suppliers in 14 states from Illinois to Oregon, issued a dramatic document. Innocuously titled the North Central Power Study, it stunned environmentalists throughout the country and sent waves of horror among the ranchers, farmers and most of the townspeople of the northern plains. Rushed through in a little over a year and reflecting the goals and points of view of utility interests that were in business to sell electricity, the study proposed a planned development and employment of the coal and water resources of some 250,000 square miles of Wyoming, eastern Montana, and western North and South Dakota for the generation of a vast additional power supply for the United States.

The scope of the proposal was gargantuan—rivaling the grand scale of the region itself. One of the most serene and least spoiled and polluted sections of the nation, it is a huge, quiet land of semiarid prairies, rich river

valleys and low mountains. The rains average only 12 to 14 inches a year, the topsoil is thin and fragile, and the vegetation in most places must struggle for life. Towns and cities are small and few and far between, and distances along the infrequent highways and ribbons of railroad track are great. For almost a hundred years the region has been one essentially of large, isolated ranches and farms, whose owners have fought endlessly against blizzards, drought, high winds and grasshoppers—and have treasured their independence and the spaciousness and beauty of their environment.

Ominously for them, the surface of their part of the country sits atop the richest known deposits of coal in the world. There are at least 1.5 trillion tons of coal within 6,000 feet of the surface, and perhaps more than 100 billion tons so close to the surface—in seams 20 to 250 feet thick—as to be economically recoverable today by the relatively cheap modern techniques of strip-mining. This is, staggeringly, 20 per cent of the world's total known coal reserves and about 40 per cent of the United States' reserves. (The total national figure would be able to supply the country for an estimated 450 to 600 years should the present use trend continue.) But perhaps even more significantly, in view of recent environmental concerns, the sulfur content of these deposits of high-quality sub-bituminous coal in Montana and Wyoming and lesser-grade lignite in northeastern Montana and North Dakota is low enough to meet the new air pollution standards for coal-burning power plants in urban areas.

#### NEW COAL DEMANDS

In the past, very little of the northern plains coal has been mined, principally because of its comparatively lower BTU heat content and its distance from major markets. But by May, 1970, the need for low-sulfur coal in the cities was hurrying a change in that thinking. In addition, an energy panic was in the offing—a panic concerned more with sources of future supplies of conventional fuels than with conservation and realistic planning and pricing. A large-scale (though little-publicized) rush to acquire exploration permits and leases for the low-sulfur coal in the northern plains—together with plans on how to maximize short-term and long-range profits from the enormous deposits—was already stirring the energy industry.

It appeared evident that national policy, guided by the industry, would inevitably encourage the exploitation of the Western states' coalfields as an answer to the apparently diminishing supplies of fuels from elsewhere, the threat of growing dependency on the oil-producing nations of the Middle East, and power plant pollution in the cities. So, strict overall government planning and regulation were necessary if the imposition of coal-based industrialization on the traditional farming-ranching economy and environment of the North Central states was not to bring disaster to the area and its people.

Viewing this as a mandate, the Department of the Interior and the 35 cooperating utilities launched their study. There were few persons in the affected region who were not already aware of the increasing attention being given to their coal; indeed, many landowners were already being subjected to the pressures of lease brokers, speculators, and coal companies. But the threat to the region as a whole was not yet visible, and the implications of the stupendous changes that the coal reserves would bring to the lives and environment of the people were not even dreamed of. The release of the North Central Power Study shattered that innocence.

Together with an accompanying document that dealt with the utilization of the region's water resources for the proposed coal development, the study suggested the employment of strip-mines in Montana,

Wyoming, and North Dakota to supply massive amounts of coal to fuel mine-mouth power plants, which by 1980 would produce 50,000 megawatts of power, and by the year 2000 approximately 200,000 megawatts. The power would be sent east and west over thousands of miles of 765-kilovolt transmission lines to users in urban areas.

The study located sites for 42 power plants—21 in eastern Montana, 15 in Wyoming, four in North Dakota, and one each in South Dakota and Colorado. Their suggested sizes were mind-boggling. No fewer than 13 of them would generate 10,000 megawatts each (almost five times as much as the Four Corners plant in New Mexico, much criticized as the world's worst polluter). Other plants would range from a 1,000- to 5,000-megawatt capacity.

In addition, 10 of the proposed giant 10,000-megawatt plants would be concentrated in a single area 70 miles long by 30 miles wide, between Colstrip, Mont., and Gillette, Wyo.; another group with a combined capacity of 50,000 megawatts was targeted for another compact area close by.

To supply some 855,000 acre-feet of cooling water (an acre-foot is enough to cover 1 acre with 1 foot of water) which would be needed each year by the plants at the 50,000-megawatt level, the study proposed a huge diversion of water from the rivers of the Yellowstone Basin, requiring a large system of dams, storage reservoirs, pumping heads, and pipeline aqueducts to be built by the Bureau of Reclamation. The water resources document went even further, envisaging—with great realism, as it turned out—the construction of immense coal gasification and liquefaction plants and petrochemical complexes, located near the strip-mines and power plants, and raising the need for water to at least 2.6 million acre-feet a year.

#### ASTRONOMICAL FIGURES

Once they got over their shock at the stupendous dimensions of what was being proposed, environmentalists set to work dissecting the study. Dr. Ernst R. Habicht Jr. of the Environmental Defense Fund found the plant almost unbelievable, pointing out that it called for the generation of "substantially more electricity than is now produced either in Japan, Germany, or Great Britain (and would be exceeded only by the present output of the United States or the Soviet Union)."

The 855,000 acre-feet of water needed annually, for the 50,000 megawatt goal, Habicht noted, was more than half of New York City's annual water consumption, and if the need rose to the proposed 2,600,000 acre-feet, it would exceed "by 80 per cent the present municipal and industrial requirements of New York City (population 7,895,000)." Moreover, in wet years, the mammoth diversion would reduce the flow of the Yellowstone River by one-third, and in dry years by about one-half.

All of this the study had, indeed, overlooked, but there was more. Analysis showed that coal requirements for the 50,000-megawatt level in 1980 would be 210 million tons a year, consuming 10 to 30 square miles of surface annually, or 350 to 1,050 square miles over the 35-year period, which the study proposed for the life of the power plants. In addition, each coal gasification plant, producing 250 million cubic feet of gas per day, would use almost 8 million tons of coal a year, eating up more land, as well as 8,000 to 33,000 acre-feet of water (estimates vary widely) and 500 megawatts of electric power.

The astronomical figures continued. At the 50,000-megawatt level, nearly 3 per cent of the tri-state region would be strip-mined, an area more than half the size of Rhode Island. The transmission lines would require approximately 8,015 miles of right of way, which, with one-mile-wide multiple-use corridors, would encompass a total of 4,800

square miles, approximately the size of Connecticut.

A population influx of from 500,000 to 1,000,000 people might be expected in the tri-state area. (The present population of Montana is 694,000, Wyoming, 332,000, and North Dakota, 617,000.) Half a million newcomers would mean a 500 per cent increase in the present population of the coal areas and would result in new industrial towns and cities, putting added pressures on the states for public services and increased taxes.

The quality of life, as well as the environment, would change drastically. At the 50,000-megawatt level, the proposed plants, even with 99.5 per cent ash removal, would fill the air with more than 100,000 tons of particulate matter per year, detrimental to visibility and health. The combustion of the coal would introduce dangerous elements like mercury into the atmosphere; and the plants would emit at least 2.1 million tons of sulfur dioxide (yielding, in turn, sulfurous and sulfuric acids that would be deposited by the wind on farms, ranches, communities, and forests) and up to 1.88 million tons of nitrogen oxides per year. Living in the Colstrip-Gillette area, with ten 10,000-megawatt powerplants, not to mention an unspecified number of coal gasification plants as neighbors, could be lethal.

#### HURRIED RESISTANCE

If the simplistic report, blithely ignoring the need for scores of impact studies, bewildered environmentalists, it sent peals of alarm among many of the people of the three states.

Throughout the region, individuals were soon comparing notes and discovering that a coal rush of gigantic proportions was, indeed, already under way. Lease brokers, syndicate agents, and corporate representatives—many of them from places like Louisiana, Texas, and Oklahoma—had been swarming across the plains country, and more coal lands than anyone had dared imagine were already locked away in exploration permits and leases.

In half a dozen districts in Montana and Wyoming that seemed most threatened, ranchers and farmers hastily organized landowners' associations, which banded together as the Northern Plains Resource Council—a loose federation based with volunteer officers and staff in Billings, Mont.—to pool their information, pledge landowners to hold out against the strippers, and contest the coal interests in the courts and the state capitals.

From the start, opposition to the coal development was hobbled by a lack of reliable knowledge of what was going on. In the first place, it soon became evident that the coal and energy companies that were buying up the land had rejected the proposals of the North Central Power Study even before the document had been made public, and were proceeding, instead, on a voracious, every-developer-for-himself basis. Alarming as the suggestions of the Bureau of Reclamation and the utilities had been, they had nevertheless reflected the federal government's desire to guide development according to a comprehensive and orderly plan. Even the critical environmentalist groups had recognized that, if coal development was inevitable, the study was something with which to work.

Now the study was nothing but a checklist of some—but far from all—of the opportunities for the fastest corporations with the most dollars. Aside from alerting the region's people to the scope of the calamity they faced, the study's effect was to accelerate what was becoming a frantic, modern-day version of the California Gold Rush.

By October, 1972, the guideline aspects of the study were dead, and Interior Secretary Rogers C. B. Morton announced the formation of an interagency federal-state task force and the launching of a Northern Great



Plains Resource Program to assess the social, economic and environmental impacts of the coal development and, hopefully, "coordinate on-going activities and build a policy framework which might help guide resource management decisions in the future."

It was pretty much a case of locking the barn door after the horse was stolen. The 1971 study had been issued well after the coal rush had started, and the new study group—which was criticized because it did not provide fully enough for the participation of the public—would not release its final report until December, 1975, although results were expected to be "incorporated into regional planning and decision-making by the end of the first year," or October, 1973. In view of the rapid developments taking place, even this seemed too late. Regional planning by then would be almost impossible.

#### OWNERSHIP CONFUSION

Meanwhile other factors were adding to the confusion. Without the overall guidance of authority of any federal or state agency, it became difficult for anyone, including state officials, to assemble accurate and comprehensive information about who was acquiring what rights and where, and what they intended to do with them. The roster of those who were buying coal deposits read like a who's who of the energy industry: Shell Oil, Atlantic Richfield, Mobil, Exxon, Gulf, Chevron, etc.

All of them, to a greater or lesser extent, were engaged competitively, and the securing of permits and leases and the making of plans and commitments for exploitation were done with great secrecy. But in concealing activities and intentions from rivals they also frustrated interested officials and the public, who were kept in the dark about plans for such projects as stripmines, powerplants, new railroad spurs, water purchases, and coal gasification plants—all of which would affect their environment and lives—until the companies were prepared to announce them. By that time, commitments had been made, and questioners had to grapple for detailed and meaningful information and were at a disadvantage.

Perhaps the greatest confusion stemmed from the complex ownership rights to the coal and the land surface above it. Some of the coal is owned by the federal government and is administered by the Bureau of Land Management. Some is owned by the states; some by the Union Pacific or Burlington Northern railroads (though their legal rights to the coal, acquired originally with the railroad land grants of the last century, are being questioned by certain congressmen and organizations); some by Indian tribes, and some by private owners.

A purchaser may secure an exploration permit or lease for the coal; but to get at it, he also has to deal with the owner of the surface—which frequently produces a problem. The surface rights, again, might be owned by the federal government, the states, the railroads, the Indians, or private owners. Where the same interest owns both the surface and the coal and is willing to part with them, there is no complication. But more often than not, private ranchers own or lease land above coal that does not belong to them.

The question of the surface owner's rights versus the rights of the purchaser of the coal beneath his land is a matter of contention and will inevitably be tested in the courts. But the necessity of acquiring separate items of coal rights and surface rights from different owners (and sometimes—when trying to create a large compact block of coal—from several different adjoining owners of both the coal and the surface) introduced bitter conflict and more confusion to the harassed region.

In Montana, a 1961 surface condemnation law that favored the coal purchasers made the situation worse. The law had declared mining a "public use" and had given min-

eral companies the right of eminent domain. Speculators, lease brokers, and the agents of corporations acquiring coal rights—sometimes even before they had bought the coal—now abused that law. They frightened many Montana landowners into signing exploration permits and leases or selling their lands on the purchaser's terms ("better than you'll get from any court"), and threatened condemnation proceedings against those who resisted.

#### SURFACE RIGHTS SALES

In four instances in southeast Montana, landowners actually had condemnation proceedings instituted against them by Burlington Northern railroad, which is building a 37-mile spur line from its main tracks at Hysham, Mont., to Sarpy Creek to take out coal from a new mine. Ranchers and other landowners opposed the railroad's demands for right-of-way easements, often through the best parts of their land, and the conflicts became angry and tense.

As might be expected, hundreds of landowners in the three states, willingly or unwillingly, have already leased or sold their surface rights. On the whole, the negotiated terms differed from one lease to another, depending on how badly a company wanted a particular right and how resistant the owner was. One rancher may have given up all his rights for a dollar an acre, while his neighbor received more than \$100 an acre and a small percentage royalty on each ton of coal taken from beneath his surface. The operations of the land buyers inevitably stirred up jealousies and divisions among old friends and neighbors, some of whom wanted to sell out while others hoped for a united show of resistance against the purchasers.

A division of opinion also affected those who did not have land at stake. Many citizens in all three states regard the coalfield development as an economic boom to the regions. But others enjoy living on the northern plains precisely because of the small population and are fearful of the degradation of the environment and other unfavorable impacts that the development will have on their part of the country and their lives.

Meanwhile, the absence of hard information concerning exactly what the impacts will be, and when they will start to be felt, has become something of a scandal. Despite all the developments that have occurred, not a single meaningful impact study has yet been made of any one of them; nor will an in-depth study be available for the region as a whole, or for any one of the affected states, until Secretary Morton's resource program report is finished at the end of 1975.

It has been estimated that more than 5.5 million acres of federal- and Indian-owned land have already been let out in coal permits and leases. More acreage has been let out by the states, the railroads, and private individuals. In Montana, the Northern Plains Resource Council estimates that at least 1.7 million acres, more than half of that state's surface covering economically strippable reserves, are already signed away. The figures in Wyoming and North Dakota are believed to be far greater. But such information has only increased the sense of helplessness.

In Wyoming, with strippable coal reserves of 23 billion tons in seven major coal areas, only a few of the mammoth projects that are certainly in store for the use of the resource have yet been described with any detail.

The State of Wyoming generally, its governor and junior senator, and a majority of the members of the state legislature are development-oriented, welcoming the coal industrialization as a boost to the state's economy, and showing little appetite for conducting significant studies or enacting laws that would give protection to the state.

#### MONTANA FIGHTS BACK

In Montana, where large-scale coal mining is a new fact of life, the reverse is true, and

state officials and agencies have, if anything, been ahead of many of the people in evidencing genuine concern over the uncontrolled character of the coal exploitation. In March, 1971, the state passed an Environmental Policy Act, which, among other things, created a 13-member Environment Quality Council, the functions of which included watchdogging the environment problems in the state, recommending protective actions, and furthering state environmental impact statements. In August, 1972, on the recommendation of the council, the state created a Coal Task Force to watch the developing coal situation, identify problems, and recommend needed legislation or other action.

Both Montana bodies have tried to gather adequate information for laws necessary to protect the state, but cooperation from the federal level has been sorely missed.

By the fall of 1972, the every-man-for-himself development in Montana was becoming alarming. Four stripmines were already in operation in the state. A study made by Thomas J. Gill for the state Environmental Quality Council, and based on data supplied by various state agencies, pointed out that total strip-mined coal production in Montana would jump from 1.5 million tons in 1971 to 16 million tons in 1973 and to 75 to 80 million tons in 1980. At the 16 million-ton levels in 1973, 275 to 520 acres of Montana land would be disturbed by the mines.

Reclamation of the mined land was only one of the problems posed by the increased stripping in the state. Neither federal nor state regulations written into the leases carried any guarantees that the lands would be successfully restored, and railroad, private, and Indian leases were so deficient that they almost guaranteed that there would be no reclamation.

In addition, there was little information about water problems that would result from the strip-mines, some of which would seriously disturb patterns of drainage and surface runoff. The study noted that the state's total existing and potential supply from the rivers of the Yellowstone Basin was 1,735,000 acre-feet a year; yet energy companies had already received options from the Bureau of Reclamation for 871,000 to 1,004,000 acre-feet per year and had requested or indicated interest in another 945,000 acre-feet per year from those streams.

#### GROWING DISTRESS

Montana's growing distress over these problems was reflected when the state legislature convened early in 1973. Numerous regulatory bills were introduced, and by April several significant ones had become law. Coal was eliminated from the condemnation statute, and operators were prohibited from prospecting or mining until they had secured the permission of the owners of the surface rights. Both measures came too late to help all those who had already sold their surface under threat, but they took some of the pressure off the many who were still holding out.

The legislature also passed a strong reclamation law that spelled out required reclamation procedures in detail; increased sharply the state tax on coal; set up a Resource Indemnity Trust Fund to rectify damage to the environment caused by the extraction of nonrenewable natural resources; established a centralized system for water rights; and created a power facility siting mechanism, giving the state's Department and Board of Natural Resources and Conservation authority to approve the location of generation and conversion plants, transmission lines, rail spurs, and associated installations.

Still missing, at that late date, was convincing evidence of concern or commitment on the part of agencies of the federal government. A major portion of the coal lands

in the northern plains is public domain, administered by the Bureau of Land Management of the Department of the Interior.

Every aspect of the bureau's practices in the granting of federal coal permits and leases has been severely criticized in Congress and by the General Accounting Office, which last year focused on the question of whether the United States was receiving a fair price for its coal, and concluded that it probably was not. Of late, the figures have usually been 17.5 cents for subbituminous coal and 15.5 cents for lignite—considered by many critics to be too low, in view of actual market conditions.

The General Accounting Office was even more critical on other points. Speculators could buy rights cheaply, hold onto them for long periods of time with no plans to mine the coal, then sell the rights at a large profit in the rising market. Reclamation and environmental requirements were almost nonexistent in older leases, and the Bureau of Land Management was ignoring this deficiency, waiting for each lease to come up for renegotiation on the 20th year after the lease had been made. Newer leases had stiffer requirements, but they were not being enforced. In August, 1972, a second GAO report spelled out its criticism on this score more sternly, aiming its charges also at the Bureau of Indian Affairs, which was administering the leases of coal owned by Indian tribes.

The criticism pinpointed numerous violations of federal laws and the code of federal regulations by both the Bureau of Land Management and Indian Affairs.

#### SELLING OUT THE INDIANS

If the Federal government was not protecting the non-Indian people of the region, it was actually selling out the Indians. The GAO criticisms of the Bureau of Indian Affairs merely scratched the surface of the derelictions of government trust obligations to the tribes.

One tribe, the Northern Cheyennes, put its trust in the BIA. Encouraged to take money while the taking seemed good, the tribe let out a total of 243,808 acres—a startling 56 per cent of the reservation's entire acreage in southeastern Montana.

Another tribe, the Crows, let out permits for 292,680 acres, including rights to the coal—at 17.5 cents a ton—in an off-reservation area, whose surface the Crows no longer owned.

In addition, when making the original deal, the Crows were persuaded that they could not sell their coal unless they also handed over rights to 30,000 acre-feet of water a year. Unknowingly, the Crows obliged, and ultimately gave away to the different coal companies valuable options for 140,000 acre-feet of water per year without a penny of payment.

The lack of impact statements, the non-observance of regulations, and the many violations of laws that have characterized the first years of the coal rush throughout the region have provided concerned environmentalists with opportunities for numerous lawsuits.

In addition, an independent committee of 12 prominent natural scientists—formed in April under the auspices of the National Academy of Sciences and the National Academy of Engineering—was set up to review the ecological and environmental consequences of the coal and power operation. Its report was expected last month.

The horrors conjured up by the North Central Power Study in 1971 are coming true even faster than that document proposed—and without the focus for planning and control which its blueprint provided. Is it, then, all over for the northern plains? Will they inevitably become another Appalachia? On the Tongue River near Birney, Mont., Mrs. Irving Alderson Jr. gives voice to

a desperate, last-ditch courage that says there is still time to save the region.

"To those of you who would exploit us, do not underestimate the people of this area. We are the descendants, spiritually, if not actually, of those who fought for this land once, and we are prepared to do it again. We intend to win."

#### ONE FAMILY'S TENSE HOLDOUT

(By Alvin M. Josephy, Jr.)

The Bull Mountain area, north of Billings, Mont., is a particularly fragile one, a grassy parkland whose irregular topography includes rimrock walls and picturesque hills covered with dense growths of ponderosa pine. Because coal seams are exposed on the rock walls and outcrop on the hillsides, contour stripping—the most destructive of all open-cut techniques—probably would be necessary, and reclamation to restore the present natural beauty and scenic values would be virtually impossible. A Montana Coal Task Force, established by the state government in August, 1972, urged that no strip mining be permitted there unless a severe national coal shortage occurred in the future, and Sen. Mike Mansfield singled out the area as one district of the state in which strip mining should be banned outright.

Nevertheless, the Bull Mountain area contains approximately 130 million tons of coal, the rights to which were quietly purchased by Consolidation Coal Co. in permits and leases from Burlington Northern railroad and the state of Montana. It is owned by Continental Oil Co. (whose chairman, John G. McLean, head of the National Petroleum Council, has been in the forefront of industry leaders warning of an energy crisis). Consol, as the coal company is known, plans an \$11.5 million strip mine in the Bull Mountains, to be worked over a 25-year period. Its initial production would be about two million tons a year, but the figure would rise.

In 1970, Consol set about purchasing the surface rights necessary to make exploration drillings to mine the Bull Mountain coal. Many of the people in the nearest town, Roundup (population 2,800), welcomed the development. Small-scale deep-mining had been done for many years there; Tony Boyle, the former United Mine Workers president, had come from the area; and the townspeople, without landholdings at stake, saw prosperity for themselves in Consol's promises to spend \$1.4 million each year in the region and employ 80 men, whose needs, said the company, would generate 240 other jobs. To the Boyd Charter family and other ranchers, however, plans for the strip mine became a nightmare.

Originally from western Wyoming, the Charters and their three sons and a daughter ran cattle on approximately 20 sections of land, 10 of which they owned and the rest leased from the Burlington Northern. Without warning, they were visited one day by a land agent from Consol, who told them that the company had bought the coal beneath their land from the federal government and the railroad and now wanted to drill exploratory core holes preparatory to mining.

He produced a form for them to sign, offering \$1 to release the company from any damages done to their property by the drilling. When the Charters refused to sign, the agent left them and made a tour of other ranches, relating, according to the word of one ranch owner, that the Charters had signed, and thus winning the agreement of a few of them.

The company thereafter began harassing the Charters. Higher officials, including a Consol regional vice president from Denver and company attorneys, began showing up at their home, increasing the pressure. After numerous sessions the visits stopped, and the Charters wondered if condemnation proceedings were to be instituted against them.

Then, one morning, they heard a racket

near their house. They ran out, discovered a Consol crew drilling core holes on a deeded part of their land, and ordered them to stop. One of the men, according to Charter, came over to them, threatening a fist fight. "I got as much goddamn right on this land as you," he said.

The infuriated Charters finally drove the crew off the property, and they have heard nothing more since then from Consol. But the company has tested all around the Charter ranch, it can get Burlington Northern to break the lease for its part of Charter's holdings, and it still intends to strip mine the Bull Mountains in the near future. Far down the line from Continental Oil's national policy planner, John McLean, this small Montana ranching family is one of his victims.

#### RETIREMENT OF MAJ. GEN. CLARENCE J. LANG, U.S. ARMY

Mr. TOWER. Mr. President, recently, a fellow Texan, Maj. Gen. Clarence J. Lang, U.S. Army, retired from active duty service. As his last post he commanded the Military Traffic Management and Terminal Service. There he maintained the outstanding performance that marked his entire career. So that all Americans can appreciate his contribution to the defense of the Nation, I ask that a brief biography of General Lang be printed in the RECORD.

There being no objection, the biography was ordered to be printed in the RECORD, as follows:

#### GENERAL LANG

General Lang was born on 28 June 1918 in Iowa City, Iowa. He was graduated from the University of Iowa and received his commission as a second lieutenant in the QM Corps Reserve in May 1940. He is also a graduate of the University of Texas (M.B.A. Degree), the Armed Forces Staff College, and the Industrial College of the Armed Forces. He entered the Army as a commissioned officer in July 1940 as Assistant Post Quartermaster, Fort Des Moines, Iowa, and later served with the 6th QM Bn. of the Sixth Infantry Division, Fort Leonard Wood, Mo. During World War II, he served with the 28th Quartermaster Group (Truck) in Northern Ireland, England, Africa, and France. He commanded the 28th Quartermaster Group in France from 1944 until 1945.

General Lang was commissioned in the Regular Army in 1947 and transferred to the Transportation Corps in 1950. He commanded the Separation and Reassignment Center, Camp Stoneman, California, and was the Comptroller at HQ, San Francisco Port of Embarkation, Fort Mason, California, from 1949 to 1953. He served as Comptroller and Deputy Chief of Staff, U.S. Army Transportation Training Command, Fort Eustis, Virginia, from 1953 to 1955. In 1956, after graduating from the Armed Forces Staff College, General Lang went to the Far East as Transportation Officer, HQ, U.S. Army, Ryukyu Islands, IX Corps, Okinawa.

Following attendance at the Industrial College of the Armed Forces, in 1959 he was assigned for two years to the Transportation Division, J-4 (Logistics), OJCS. From July through October 1961, General Lang was Special Assistant to the Chief of Transportation. In November 1961 he became Deputy Executive Director of the Military Management Agency. When this agency was redesignated the Defense Traffic Management Service, General Lang became Deputy Commander, serving in that capacity until August 1963. He next served as Deputy Commander, U.S. Army Transportation Center and Fort Eustis, and Assistant Commandant, U.S. Army Transportation School. On 7 October 1964, he became Director of Logistics, J-4, HQ, U.S.



Strike Command, MacDill Air Force Base, 15 June 1957 to become Chief of Staff, U.S. Army Materiel Command. He assumed command of the Military Traffic Management and Terminal Service (MTMTS) 29 April 1969.

General Lang's military decorations include the Distinguished Service Medal and the Legion of Merit with Oak Leaf Cluster.

General Lang is married to the former Fredricka Hansen Cloud. They have three children, and maintain their permanent residence at 314 Elizabeth Road, San Antonio, Texas 78209.

#### THE NEED FOR ADEQUATE PENSION REFORM

Mr. HARTKE. Mr. President, every day we hear of cases which demonstrate the overwhelming need for substantial pension reform. Recently I learned of the case of James L. Bodell, Sr., who after 29 years of service for his company, will not receive a penny of retirement benefits. On September 12 of this year, Mr. Bodell will celebrate his 65th birthday. Such an event should be a joyous occasion, but Mr. Bodell's birthday celebration will be dampened by the unhappy fact that his means of support is very uncertain.

Mr. President, I ask unanimous consent that Mr. Bodell's letter to me be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

LOGANSPOUT, IND.,  
July 1, 1973.

SENATOR HARTKE: I have been told by several people that you are the person to write to for information on a pension.

I have worked at Midwest Plating—12th and Spear Street in Logansport—since 1944. As of now, I am the oldest man there. At the time I started they had no pension plan. Two years ago they voted and received a pension plan—back dating it 5 years. But (they) told me I was not entitled to it as I was passed 59 years old when the pension was put in effect.

After 29 years of service, isn't there something that can be done? My work record speaks for itself. There are two plants. No. 1 is in Kokomo, Indiana—its pension plan was back dated to time of hiring.

I will be 65 on 9/12/73 and would like something to show for it. If you can help me or advise me on what to do, I would appreciate it very much.

Sincerely yours,

JAMES L. BODELL, Sr.

Mr. HARTKE. Mr. President, Mr. Bodell said:

After 29 years of service, isn't there something that can be done?

I direct that question to my colleagues and say that something must be done. Mr. Bodell says:

I will be 65 on 9/12/73 and would like something to show for it.

I say to my colleagues that a 65-year-old individual who has put in 29 years of dedicated service to his company must be given the dignity of an adequate pension benefit. He has worked for it and he deserves it.

On May 21 of this year, I introduced the Federal Pension Plans Protection Act of 1973 (S. 1858) which would prevent just such an injustice from occurring. My bill would establish a vesting standard so that a worker would attain an irre-

trievable right to his benefits after 5 years of service. This standard would go much further toward helping Mr. Bodell and the thousands like him than either the Finance Committee approach or the approach of the Labor and Public Welfare Committee. We should not lose sight of the fact that Mr. Bodell's case represents thousands of similar injustices that are perpetrated throughout the country each year. The time has come for us to act strongly and decisively to right these wrongs.

#### CONCERN FOR OPPRESSED JEWRY: AN AMERICAN TRADITION

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the RECORD an article in the July-August 1973 edition of the Jewish Veteran.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

#### CONCERN FOR OPPRESSED JEWRY—AN AMERICAN TRADITION

(By Senator JACOB K. JAVITS)

As protests in this country have mounted against Soviet suppression of its Jewish citizens and as it has become apparent that this issue is a key question in the trade negotiations with the USSR, arguments have been raised that such a matter is of no concern to the United States as it is a domestic issue within the Soviet Union. Opponents argue that the United States has no grounds for protesting Soviet treatment of its citizens of the Jewish faith because, no matter how unfortunate such maltreatment may be, it is an internal matter for the USSR about which we have no basis to comment. This is not the sort of thing, it is said, about which Americans properly can be concerned. Nothing could be more wrong or worse for morality and justice in the world!

This is no domestic matter for the USSR. Also, it is a matter of human rights and conscience for all the world. Indeed, the Soviet Union is a signatory of the International Declaration of Human Rights which gives the appeals from the USA every juridical status as the United States is a signatory, too. Nations, like individuals, must not be allowed to use stratagems and circumventions of human rights to deprive their own citizens of basic internationally accepted human rights. The United Nations Charter as well as all considerations of morality dictate that we should honor this principle.

In addition, it must not be forgotten that it is an historic American tradition, dating back to the early history of our republic, for Americans to be deeply concerned about the freedom of minorities abroad. In 1840, for example, during the Presidency of Martin Van Buren, the United States (not even a century old at the time and with a minuscule Jewish population) protested to the mighty Ottoman Empire concerning the persecution of Jews in Damascus, now the capital of Syria but then under Turkish rule. President Van Buren's Secretary of State, John Forsyth, referred to American concern as a subject "which appeals so strongly to the universal sentiments of justice and humanity." This enunciation of American concern is still applicable today, more than 130 years later.

With the assistance of the Library of Congress, I have inquired into this well-established American tradition of concern for the oppressed abroad. My findings are revealing.

In the administration of almost every American President since the Civil War, from Grant to Nixon inclusive, this nation has protested maltreatment of Jews in foreign lands. American protests have occurred at

periods in our history when the United States was a minor power among the nations of the earth just as they have occurred after this nation achieved "super power" status.

The United States has let its concern be known to the major world powers such as the Ottoman Empire, the Austro-Hungarian Empire and the Czarist Empire before World War I, and France, Germany, Italy and the USSR since that time. And we have let our concern over the treatment of Jews be known in the capitals of the smaller powers such as Roumania, Poland, Morocco, Czechoslovakia and Ecuador.

These protests have been more than formal exchanges between foreign ministries. U.S. Presidents themselves have made it a point to express personally their concern in public pronouncements. While we all recall statements by President Nixon regarding the maltreatment of Jews in the Soviet Union and Franklin D. Roosevelt regarding Nazi persecutions, it is too often overlooked that in his annual message of December, 1880, President Rutherford B. Hayes told the American people:

The government of the United States has also lost no opportunity to urge upon that of the Emperor of Morocco the necessity, in accordance with the humane and enlightened spirit of the age, of putting an end to the persecutions which have been so prevalent in that country of persons of a faith other than the Moslem, and especially of the Hebrew residents of Morocco.

And President Benjamin Harrison, in his annual message of December 9, 1891, declared that the government of the United States "has found occasion to express, in a friendly spirit, but with much earnestness, to the government of the Czar its serious concern because of the harsh measures now being enforced against the Hebrews in Russia." The basis for this declaration are as pertinent today as they were in 1891 when Harrison stated that the "suggestions of humanity" furnish "ample ground for the remonstrances which we have presented to Russia, while our historic friendship for that government can not fail to give the assurance that our representations are those of a sincere well-wisher."

This is not to give the impression that American expressions of concern have merely been public statements or items of diplomatic correspondence. The United States has again and again demonstrated its determination to back up its expressions of conscience with action, even though such action might have been seen as disadvantageous to us at the time.

Perhaps the best known incident of this type occurred in the early part of this century when bloody pogroms took place at Smiela, Odessa, Kishinev, Bialystok and elsewhere in Czarist Russia, with the number of dead running into the thousands. American public opinion was deeply aroused by these acts against Jews, and in 1906 both the House of Representatives and the Senate adopted a resolution indicating that they were "horried" by the massacres and extending to the bereaved "the hearty sympathy" of the American people.

Three years later, in 1909, Congress enacted a measure requesting a renegotiation of the long-standing treaty of commerce with Russia which had been in effect since 1832. President Theodore Roosevelt signed the bill on his last day in office.

Persecutions of Jews persisted and in 1911 the House of Representatives passed a joint resolution declaring the treaty with Russia terminated and instructing President William Howard Taft to give formal notice to that effect. The State Department felt that abrogation of the treaty would have serious effects on U.S. commercial relations with the Russians in addition to larger political considerations. In an effort to head off the action of the Congress, President Taft sought

from the Russian Foreign Office a joint statement to be issued within 24 hours stating in effect that the old treaty was being terminated in the hope of speedily renegotiating an updated one. The Russians refused, and on December 17, 1911 President Taft announced termination of the treaty to become effective December 31, 1912.

There are a number of parallels between what occurred six decades ago with respect to Czarist Russian anti-Semitism and what is occurring today with respect to Soviet Russian anti-Semitism. In both instances, before the imposition of sanctions the Congress approved resolutions expressing abhorrence of persecutions by the Russians of her Jewish citizens. When these resolutions proved of little effect, a movement began in the Congress to seek stronger means of indicating American concern. In the early part of this century, Congressional action was directed at a long-standing commercial treaty with the Russians; in our own time Congressional action is being directed, through the Jackson-Vanik-Mills Amendment of which I am a sponsor, at the proposal to give the Soviets "most favored nation" treatment in trade with the United States. And, again as sixty years ago, the State Department would prefer to handle the matter through its own means—now termed "quiet diplomacy"—rather than through Congressional enactment. I, for one, feel that the hand of the State Department in its "quiet diplomacy" can only be strengthened by the Jackson-Vanik-Mills Amendment, sponsored by a majority of both the House and the Senate. The Soviets cannot fail to recognize that there is an earnest conviction here that should the efforts at quiet diplomacy fail, then Congress will feel obligated to enact the Amendment.

There is an additional important parallel. I feel, that as in 1911, that the Congress will once again act and appropriate legislation will be passed.

The abrogation in 1911 of the 1832 U.S.-Russian commercial treaty is not the sole precedent of the United States modifying its relations with the Russians because of their treatment of an oppressed minority. There is also a more recent precedent involving the Soviet Government which had since replaced the Czarist regime. On December 3, 1956 the Department of State announced, with the personal approval of President Dwight D. Eisenhower, that the United States had suspended its program of cultural exchanges with the USSR in protest against the Soviet suppression of the Hungarian uprising.

There are also other instances where the United States has indicated its concern over treatment of minorities abroad through means stronger than verbal protest. Several relatively recent examples come to mind. In 1938, culminating a series of diplomatic steps taken against the Germans on the grounds of persecution of Jews, the United States recalled Ambassador Hugh Wilson from Berlin.

In August, 1963 the United States announced that it was placing an embargo on sales of arms and military equipment to South Africa to "emphasize our hope that the Republic [of South Africa] will now reassess its attitude on apartheid." In this latter instance, American action was prompted because of maltreatment of blacks.

Let the impression be given that American protests against maltreatment of minorities abroad has been chiefly centered on incidents involving Jews, it should be noted that the United States has indicated its concern over such disparate groups as Protestant pastors in Bulgaria, Armenians, Cretons, Africans, Tibetans, Hungarians, Chinese, Cubans, and Poles.

It is quite apparent that United States concern about the oppression of minorities

abroad is as American as apple pie—and it is also as American as chow mein, pizza, and bagel and lox. May it always be so!

### COUNT YOUR BLESSINGS

Mr. THURMOND. Mr. President, in a time when we are inundated with criticism of our Government, it is refreshing and very important to get a proper perspective on the state of the Nation. It is easy to join the chorus of the prophets of doom, but it is not as easy to sing a different tune.

This is why I was very pleased to read an excellent editorial by Howard Fieger in the most recent issue of U.S. News & World Report. He very thoughtfully points out our many blessings while acknowledging our many problems. Mr. Fieger takes the position that the good outweighs the bad by far.

Mr. President, I would like to share his views with my colleagues, and ask unanimous consent that the editorial entitled, "Count Your Blessings," which appeared in U.S. News & World Report, August 6, 1973, be printed in the RECORD at the end of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

#### COUNT YOUR BLESSINGS

(By Howard Fieger)

With all the carping and complaining that's going on, it might be well to look around for a brighter side.

It's there, all right. The world and its people, at mid-1973, really are in pretty good shape, all things considered.

Item: For the first time in what seems like ages, there is no big war—anywhere.

Item: The major nations of the world have gotten together to talk things over. They don't agree on many things, but, at least, they are talking and trying to sound reasonable.

Item: There is hunger in the world—even famine in Africa—but not nearly as much as in the past. Food shortages are less widespread and severe now than in most of history.

Item: Sickness is no longer the scourge it was even as recently as 20 years ago.

Nowadays, just the hint of a cholera outbreak brings fast action to stop it before it starts. Such killers and cripples as polio, smallpox, tuberculosis, are curbed.

True, the very poor in remote and backward areas still suffer. But there are fewer "remote and backward areas" in the world than ever before.

In most modern nations, the poor get medical attention as good as society can provide, and at relatively little out-of-pocket cost.

Item: Communications are bringing people closer together. Television broadcasts via satellites create instantaneous, worldwide audiences everywhere for anything important that happens at home or abroad.

Look at the United States.

Certainly people are unhappy about the bite of prices and taxes. They often wonder where their money goes. They are upset—when they aren't bored—by political scandals.

But millions never had it so good.

By most measures, we are in the greatest boom on record. Growth in real output in 1972 was an impressive 6 per cent, over all, and hit 8 per cent in early 1973. Last year, the median income of 54.4 million U.S. families was \$11,116, according to a new survey by the census bureau. That not only was a new high, it was a whopping 8 per cent ahead of the year before.

More than a million people moved up and out of the ranks of poverty.

There are more jobs than ever, and more people working. Unemployment is not solved, but it is not the problem it was.

Nobody is being drafted.

Crime remains a worry. Still, there is less violence, even in the cities. Demonstrations, mass protests, have become rare. The use of narcotics has turned down.

Out in the world, the Russians and the Chinese aren't speaking to each other, but both are talking cordially, with their old common foe—the once-despised United States.

Thirty-five nations are trying to talk the cold war into its final resting place.

The Middle East is worrisome. Yet it isn't in flames—not at this writing.

Everywhere, more people are on the move for business or pleasure, with more money to spend, than mankind has ever known.

None of this is meant to suggest that all the problems on earth have gone away. There are many things to fret about.

The environment is not what it could be. Pollution is serious and shows no evidence of being conquered on an over-all basis.

The need for sources of energy to keep the world cranked up and its wheels turning is acute, and seems certain to become more so at the present pace of solutions.

The dollar isn't what it used to be, not even just a few weeks ago.

In short: This certainly is not the best of all possible worlds—but it is a better place than a lot of people give it credit for being.

### THE REAL ENEMY—INFLATION

Mr. MONTTOYA. Mr. President, on September 2, 1973, I was privileged to address the annual Labor Day picnic at Farmington, N. Mex. I spoke to these New Mexico working people about the fight they have made and are continuing to make against our mutual enemy inflation. Because what I said to them applies equally to working people in every State, I would like to request that my address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

#### FOR SERVICE ABOVE AND BEYOND THE CALL OF DUTY

Labor Day in 1973 should have been renamed. In this year it would be more appropriate to call it "The Day of The Heroes"—because if there are any heroes today they are the men and women of American Labor who have been drafted to serve in the front lines of our defense against inflation.

Inflation is a little like the weather. There are a lot of folks talking about it, but, as Will Rogers used to say, "Ain't nobody doing anything about it." Except you—the working people of this nation.

Among those who talk a lot about inflation—though they usually call it "the economy"—are the economists in Washington. Economists are very interesting people. They can make numbers disappear and reappear faster than magicians hide rabbits. They average everything. They can add your salary to a banker's—say \$10,000 and \$50,000—and then by dividing they can come up with the startling news that "on the average" both of you make \$30,000 a year. Which is mathematically true, but try to explain it to your wife when you tell her the family can't afford a vacation this year!

There's an old story in Washington about the government economist who was an advisor to the President—until one week-end when he went fishing and tried to wade a stream with an "average" depth of only three feet. He drowned in the six foot middle



pool—and so there was a new economist at his desk on Monday, averaging things.

Well, we're going to be hearing a lot about those averages in the next few months. The President says we should stop talking about Watergate and start talking about the economy—he means inflation, I guess. I don't think we should forget Watergate, but I'm perfectly willing to talk about inflation.

I agree with the President that it is our number one enemy today. I just wish someone in the White House or the Office of Management and Budget or at the Pentagon—or in the banks or big corporations of this nation—was enlisting to fight this war instead of talking about it.

What is the real story on inflation? What is it? How did it get started? How do we stop it?

The answers you get to those questions will be different with every person you talk to. But there are some things we can say with no fear of contradiction.

First, it isn't an entirely new problem, or just an American problem. We have had some measure of inflation for years, but until 1968 it was under pretty good control. From 1962 to 1968 the consumer price index—rose at a rate of a little more than two percent a year. But from the beginning of 1969 it started up drastically—and it has gone up more than four and one-half percent a year ever since. In the first six months of 1973 it has gone up another 4.7 percent! Now, no matter how you average it out, that's inflation!

What do all those figures mean? Well, they mean that what you could buy for \$100 in 1967 cost you \$132 this July. They mean that your dollar is beginning to look like a rabbit skin full of buckshot—it's so full of holes it's not going to do much to keep you warm this winter.

Now, you're going to be told over and over again in the next few months that "on the average" your wages have gone up so much that it doesn't matter about the high cost of food or shoes or rent.

Well, let me tell you about a report that the Tax Foundation in New York City did for Sylvia Porter, the economic writer. If you are the average working man with two children, and you have received raises since 1966 which brought your income up from \$10,000 to \$13,500, you should be ahead of things—right? Wrong! You're making thirty-five percent more than you did six years ago—but you've lost nearly \$500 in buying power through inflation and higher taxes.

Now the average weekly earnings of workers has gone up about thirty-five percent—but remember that's an average. Not everybody got that big a raise, and if your income is one of those which has not gone up that much, your buying power has gone down a whole lot more! Your paycheck today is a lot like cotton candy—it may look big, but it bites little.

And no matter how you average it out, that's inflation.

For working people it really doesn't matter if the price of diamonds has doubled. What counts for the average man is a good house to live in, and enough food in his market basket, and knowing he can afford school clothes this year. That's what counts—and that's where inflation really has been the worst, of course. Housing. Food. Clothes.

What happened to houses—the houses working people need to live in? They are disappearing from the market—only one percent of existing housing is vacant today, according to the AFL-CIO, and most new housing is being built for upper income people.

From 1960 to 1968 the average interest on home mortgages was 5.9 percent. From 1969 to 1972 the average was 8.13 percent—and,

remember, every time the interest rate goes up one percent you add a lot of money to your monthly payment and to the total cost of your house. For a \$20,000 home at 6 percent your interest cost would be \$115 a month—but at 8 percent the cost of interest alone would be \$164—about \$50 a month difference in your payment! And when you add it all up at the end of the thirty years of payments, you find you've paid almost \$10,000 more for that \$20,000 house than you would have at the lower interest cost. Now, that's inflation.

The cost of mortgage interest is going so high now—up to ten and eleven percent in some places in the nation, with large down payments required—that the working man can no longer buy a house at all. More than half of all American families earn less than \$12,000 a year—and in today's market that is not enough to buy a \$25,000 home. But this year only twelve percent of all the private homes being built will sell for \$25,000 or less, according to the Home Builders Association. So—most working people have been priced out of the market. And rental costs are up more than thirty percent since 1968, too.

That's inflation.

I'm sure I don't have to tell you about food. The people who shop for their own food know what's happened in the supermarket. They don't have to be told by an economist that the wholesale price index for farm products went up to over 180 this spring—that's nearly double what it was in 1967. They know about beef shortages and beef prices, or milk prices, or wheat prices. They know the Russians got our wheat—and we got their shortage!

In the depression people used to say that if you had to ask how much it cost you couldn't afford it. That's when they were talking about yachts! Now they could be talking about steak!

For most families food is the most important part of their budget. If you're a corporate executive it doesn't matter if hamburger goes up a dollar a pound. Now Mr. Herbert Stein, an Administration economist, says that "on the average" we're all better off than we ever were before. He says that food is only 22.5 percent of the cost price index, so it's not so important. Well, maybe so. On the average. But for people at the lower end of the pay scale, a rise of twenty-five percent in grocery store prices—and that's what the annual rate of increase has been so far this year—a rise like that prices them out of the supermarket.

If you earn \$52,000 a year, and it costs you \$50 a week to feed your family, it's only five percent of your income. You can afford to be averaged in and averaged out, and you still keep eating. But if you only earn \$100 a week, that \$50 food basket is half your income. And no economist can average that problem out for you. That's inflation.

Another thing you're going to hear a lot about when you start listening to the experts in Washington in the next few months, is that a Democratic Congress has caused all this inflation by spending too much—or that working people have caused it all by buying too much and earning too much. Don't you believe it.

In the last three years the Congress appropriated nearly four billion less than the President requested. But the Congress wanted to spend what money we had for education and health and veterans. The President vetoed a lot of those bills. It was money for military increases the President wanted to approve.

In order to help fight inflation, the Democratic Congress gave the President the authority to regulate prices and wages, and interest and profits—in 1970. He didn't want to use it then. He was planning to control

inflation with a "little bit" of unemployment, remember?

Unfortunately, we got both—the unemployment and the inflation. Finally in 1971 things got so bad the President started the Phases and the freezes we have had ever since. It's been an uneven sort of fight. We fought inflation with wage control. And some price control. But not control on profits or interest. Corporate profits have been astronomical—up 14 percent in 1971, fifteen percent in 1972, and up 24 percent on an annual basis so far this year. Bank profits are up more than 80 percent since 1968.

But the control on wages has been pretty firm. Your income hasn't gone up more than five and one-half percent per year in the whole period—on the average.

The President asked for a "little" sacrifice on the part of Labor—in order to fight inflation.

But he didn't offer any medals—and he didn't draft any corporate executives to fight the battle at your side, either.

That is why I think today should be called The Day of the Heroes this year. The only soldier in the fight against inflation has been the American working man—he has held fast. He still holds fast.

So when they start telling you—and they will—that it's your fault for buying too much, or eating too much, or earning too much, you tell them that here's one Senator who thinks you deserve a medal for holding the line against inflation while every one else in business went ahead—no matter what the averages said.

If the Generals at the Pentagon and the Advisors at the White House and the \$40,000 a year economists could manage to keep their increased costs down as labor has, then we might begin to make some headway against the "real" enemy, inflation. Until they do, you get my nomination for the medal which reads "Above and Beyond the Call of Duty."

#### THREAT BY SAUDI ARABIA TO CUT BACK ITS DAILY PRODUCTION OF OIL

Mr. BARTLETT. Mr. President, in the last few weeks there have been a series of policy changes and threats by the oil rich Middle East nations. The most recent threat by Saudi Arabia to cut back its daily production by a million barrels if the United States does not change its policy in the Middle East within the next 6 months is so serious that it should have been spread across the front page of every newspaper within the United States. If Saudi Arabia carries out its threat, the consequences will be a nightmare for the United States and other oil dependent nations.

Saudi Arabia, which has more oil reserves than any other country, is the only country which can increase its production to rates that might come close to meeting the world's growing demand for petroleum. Western Hemisphere sources of oil have reached peak production capacity and can no longer increase their exports to the United States. Our ever-increasing demand for imports will have to be supplied in large part by Saudi Arabia.

The threat by Saudi Arabia came on the heels of the Libyan nationalization of the American oil companies in Libya. Also, Libya increased the price of its crude oil to \$6 per barrel, which with transportation cost is over \$2 more per barrel than domestic crude oil. The Libyan crude, which is low-sulfur con-

tent crude oil, will be needed by the United States this winter.

Our national security has been placed in jeopardy. Subsequent action by the Middle East cartel cannot be predicted. But if the Saudi Arabian announcement is an indication of things to come, then the situation is grave indeed.

We, Americans, do have a choice. We can invest money now to start expansion of our domestic energy industries, or we can pay more for foreign crude oil imports—if the foreign countries that have the oil see fit to sell it to us at all. The leverage that the Middle East countries have will be used for political purposes. Unless we build our own strong domestic energy industry we could find ourselves a second rate world power.

The time to act is now. The price of natural gas at the wellhead needs to be deregulated so that supplies will be increased. The price of domestic crude oil should not be restricted. Pipelines need to be built to deliver the natural gas and crude oil. Coal production needs to be expanded. New emphasis on research and development must be promoted.

Congress cannot allow this great country to become so dependent upon energy supplies that it must alter its foreign policy because of political or economic blackmail by any nation possessing the much needed supplies.

#### FEDERAL ENERGY RESERVE IN THE SANTA BARBARA CHANNEL

Mr. CRANSTON. Mr. President, just before the Senate adjourned for the August recess, I introduced S. 2339, my bill to create a Federal energy reserve in the Santa Barbara Channel. This bill is similar but not identical to legislation I have introduced in both the 91st and the 92d Congresses to protect the channel from the hazards of premature oil drilling.

On August 24, I received a letter from Mr. Francis Sarguis, president of Get Oil Out, Inc.—GOO—notifying me of GOO's unanimous endorsement of S. 2339. GOO is the umbrella organization of environmental groups and local governments agencies fighting to protect the ecology of the Santa Barbara Channel and coastline. I am delighted to have their endorsement and ask unanimous consent that a copy of their letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

GET OIL OUT! INC.,

Santa Barbara, Calif., August 24, 1973.

Hon. ALAN CRANSTON,  
New Senate Office Building,  
Washington, D.C.

DEAR SENATOR CRANSTON: Today the Executive Committee of Get Oil Out! Inc. met to review your bill S. 2339 introduced by you earlier this month. As you know, we have worked closely with your staff these past months to develop a bill that might have the best chance of passage, and yet meet our mutual objectives for the Channel.

Acting for the Board of Directors, and for the entire membership, the Committee voted unanimously to support S. 2339. We want to thank you for your continuing efforts to save the Santa Barbara Channel. It is our belief

that S. 2339 will halt oil development in the Channel at least until such time as technology can be developed that will protect its environmental uniqueness.

With best wishes and again many thanks.  
Sincerely,

FRANCIS SARGUIS,  
President.

Mr. CRANSTON. Mr. President, I am also pleased that the Santa Barbara News Press editorialized on August 13 about the need for the Congress to move forward with the pending bills to protect the Santa Barbara Channel. This is further indication of the strong local sentiment in Santa Barbara that the uniqueness of the Santa Barbara Channel must be afforded the protection it deserves. I ask unanimous consent that this editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

#### BREAKTHROUGH ON OIL HEARINGS

Rep. Charles M. Teague's announcement that a House subcommittee will hold hearings in the next several weeks on legislation governing oil development in the Santa Barbara Channel represents a breakthrough which will be welcomed by local residents and others long concerned with the issue.

On his visit here during the congressional recess, the congressman said he had been assured of the hearings by Rep. Patsy T. Mink (D-Hawaii) who is chairman of the House interior subcommittee on mines and mining. Three measures will be up for consideration, including an administration bill that would set aside half of the 70 leases in the channel as an oil-free sanctuary, but permitting development of the rest.

A fourth bill is to be introduced by Rep. Teague, as a companion measure to one introduced in the Senate by Sen. Alan Cranston. It provides for exploratory drilling in the channel but bans subsequent production, with any discovered reserves held for future use.

Teague paid generous credit to the efforts of Santa Barbarans and environmental groups elsewhere for obtaining a hearing decision on the all-important bills. He noted also Rep. Mink's home state of Hawaii has much in common with the local channel region, with its scenic beauty, tourism and esthetic and environmental problems accompanying growth. Her sensitivity to such matters has been helpful, he said.

Credit must be given to Rep. Teague himself, and to Sen. Cranston, for conducting thorough studies of the environmental challenge to the channel, drafting relevant oil-control legislation and pushing persistently for congressional hearings and decisions. As Teague observes, an important congressional breakthrough has finally taken place.

Mr. CRANSTON. Mr. President, finally, I wish to advise the Senate of what my intention was in including a provision in S. 2339 which allows oil development in the Santa Barbara Channel during a national emergency. The specific wording of this section of the bill has raised concern that the President could use this provision to make my bill essentially inoperative should it become law. While I believe that the wording of the bill is quite clear in its requirement for a specific finding by the President that a national emergency in oil and gas exists followed by a specific declaration that the suspension should be lifted for a specific period of time, I am willing to concede that some Presidents

might abuse such authority and hastily open up the channel for drilling. Consequently, I intend to write to the Senate Interior Committee, where the bill is now pending, to suggest two possible changes in this provision which will clear up any possible confusion about my intent: the suspension on drilling in the channel shall remain in effect until, first, the Secretary of the Interior finds that the conditions specified in section 4 of my bill have been met; or second, the President of the United States in the face of a grave national emergency and threat of war finds and declares it necessary temporarily to produce oil in the channel.

The Santa Barbara Channel, which so many of us have been fighting to protect for so long, is a precious resource: it contains stretches of some of California's most spectacular shoreline as well as the Channel Islands, and it also contains one of the largest oil discoveries on the Pacific Outer Continental Shelf. The proper utilization of both of these resources will require that the channel be protected while we develop a safe technology for the extraction of the oil. That is the purpose of my bill.

#### EDITORIALS ON PRESIDENT NIXON

Mr. THURMOND. Mr. President, since the Watergate controversy has arisen, the Nation's press has become an object of great scrutiny. Since newsmen are the primary conveyors of public information, their objectivity and fairness in reporting Watergate-related events are valid points of inquiry.

Some are unquestionably dedicated to destroying the President at any cost. The great majority, however, have exercised great restraint and caution in disseminating complex, and often conflicting, information. Most have abided by the constitutional mandate that any man—including the President—is innocent until proven guilty.

My attention has been called to three editorials which emanated from the South Carolina news media which adhere to the precepts of fairness and objectivity.

Mr. President, I ask unanimous consent that the editorial entitled "Stand on Watergate," which was broadcast on WSPA radio and television, Spartanburg, S.C., August 20 and 21, 1973; the editorial entitled "The Nixon Speech," which appeared in the News & Courier, Charleston, S.C., August 17, 1973; and the editorial entitled "Mr. Nixon: Innocent," which appeared in the Columbia Record, Columbia, S.C., August 17, 1973, be printed in the RECORD at the conclusion of my remarks.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

#### STAND ON WATERGATE

The so-called first phase of the Watergate investigation has ended, the President has made his answer, and the media has had its rebuttal.

After the most exhaustive Senate investigation in history, after the longest continuous television hearings since the advent of the tube, and after the most complete coverage of any story since World War II, the



American people, as WSPA sees it, are confronted with one simple question, to wit:

Who should they believe—a twice elected President of the United States or a young 30-year old lawyer in an unjustified elevated White House position who became enmeshed in unprecedented political intrigue and then turned against his benefactors to protect his own hide.

So far as WSPA is concerned, the answer is easy.

There is no question but that President Nixon knew absolutely nothing about the ridiculous break-in at the Democratic Headquarters in the Watergate Hotel. What the Senate Committee has, with its far-flung staff of lawyers and investigators, been seeking to prove is that the President was a part or had knowledge of the cover-up to obstruct justice. The only evidence, after spending over 5 million dollars, the Committee has produced is the testimony of one John Dean.

There is a direct conflict between what the President says and what his former counsel, the man he relied upon to keep him informed on Watergate, says:

WSPA accepts the word of the man who carried 49 states in the last Presidential election rather than the word of a turncoat employee of the President who betrayed the trust placed in him and then by his own assumption sought to tar the man who made it possible for him to be in the White House. In saying this WSPA does not mean to suggest that President Nixon is without fault. He permitted a little governmental hierarchy to grow up within the White House rather than farming out duties to department heads and having a real cabinet form of government.

Watergate has been blown up by the anti-Nixon media clear out of any reasonable proportions. From the very beginning it has been obvious that the root of the political problem in this country is a five letter word—money. If the Ervin Committee will come up with a concrete plan to limit and control the use of money in political campaigns on all levels involving Federal offices, they will render the Nation a great service and indeed may save our democratic processes.

The time has come, as WSPA sees it, for the courts to take over the Watergate affair and send to jail those responsible for the mess they created.

This Nation, if it is to retain its status as a world power and maintain a stable economy with law and order at home, should not be subjected to another six months of Watergate limelight brought on, to a large extent, by a hostile media.

#### THE NIXON SPEECH

While President Nixon added nothing new to his position on Watergate and related matters, his steadfast denial of guilt came firmly through his Wednesday night address to the nation. He was equally adamant in refusing to yield recordings of conversations inside the White House.

The response, as might be expected, is the same as before. Those who disbelieve the President still disbelieve, and those who demand release of the tapes are still demanding.

Mr. Nixon made a strong point, in our opinion, in urging that the country must keep moving regardless of the outcome of Watergate. He called for an end to "obsession with the past," and said the courts would deal with the guilty.

Whether the courts or any other tribunal ever decide Mr. Nixon's personal involvement is a question that cannot be answered now. History itself may not be able to record a verdict on that issue. Impeachment, as we see it, is both unlikely and unprofitable.

Meanwhile, Mr. Nixon as President has other obligations as chief executive. Until a successor comes along, he has the constitutional authority and duty to serve. The best interest of the country requires that he at-

tend to those duties for which he is well qualified. The next election is only a little more than three years from now. The penalties of Watergate can wait, but the governing of the United States cannot be put off.

Mr. Nixon's coolness under fire is phenomenal. Even those who hate him have to admire his stamina. For the sake of the Republic, we pray that Mr. Nixon's strength endures through these difficult times, and that he is granted the opportunity to function fully as President.

#### MR. NIXON: INNOCENT

Individual reactions to President Nixon's national address on Watergate will vary widely and can be measured by the preconceptions of guilt or innocence of the President and by preconceptions regarding what Mr. Nixon said or should have said.

That is, if an individual wanted a play-by-play account from the President, naming names, giving dates and hours and verbatim accounts of conversations, that person is disappointed. The President offered no play-by-play and, apparently, he will not.

What he attempted, instead, was a general analysis with a protracted discussion of principles rather than minute details. He sought to prove his own innocence, reestablish his efforts to find the truth through regular investigatory channels and the White House staff and to provide an historical perspective on the issue as it involves the office of the Presidency.

None of this satisfies the inveterate committee. These people wanted the President to say, in this judgment, that this particular individual was telling the truth and the other individual was lying—names, dates, details.

In short, they wanted the same kind of testimony delivered under oath before the committee by a series of witnesses. Unquestionably, the President and his counselor considered and rejected such an alternative. They may be right; they may be wrong.

Instead, the President said it "would not be right for me to try to sort out the evidence, to rebut specific witnesses, or pronounce my own judgments about their credibility. This is for the committee and the country."

To us, the attitude makes sense. The President should not sit as judge and jury to acquit or condemn any of the individuals involved. Ultimately, our judicial system will pass judgment on the individuals and their degrees of guilt or innocence.

The Ervin Committee's job remains a simple one—to find out what went on and to write corrective legislation to discourage or prevent repetitions.

The courts will release the innocent and fine or jail the guilty.

The President said, simply, that he had no prior knowledge of the Watergate incident and neither authorized nor encouraged subordinates to engage in illegal or improper campaign tactics.

For himself, he pledged "a new level of political decency and integrity in America—in which what has been wrong in our politics no longer corrupts or demeans what is right."

The singular fact is that, as Mr. Nixon pointed out, not a single person has alleged that he had prior knowledge of Watergate and only one, John Dean, has contended that he knew of the coverup. Every other witness has contradicted Dean's assertion that the President knew of the concealment as early as last September.

What now? Our consistent opinion has been, and is, that unless and until there is substantial and unequivocal evidence that the President knew about Watergate or its coverup that he is innocent. Not a scintilla of evidence that would be acceptable to a court of law has indicated any wrong-doing on the President's part.

Those who preconceive the President as guilty, or objected to his election or presence in the White House, will continue to convict him, regardless. Those who are more dispassionate will hopefully respect the President's decision to protect his office, his administration, and the system of government that is ours.

#### DEATH OF FORMER REPRESENTATIVE WESLEY A. D'EWART

Mr. METCALF. Mr. President, on Sunday, September 2, 1973, former Representative Wesley A. D'Ewart died. He was 83 years old. His death brought to an end a most illustrious career in Montana. One that included service in the Montana Legislature, in the House of Representatives and in the Department of Agriculture.

When I went to the Montana Legislature in 1937 one of the new members on the Republican side was Wes D'Ewart. Despite our party differences we found many matters of mutual interest and became friends. He stayed in the legislature until he was elected to Congress to succeed James F. O'Connor in a special election in 1945. In the meantime I was an assistant attorney general for the State of Montana and then went off to World War II. When I returned he was still in the Congress and we renewed our friendship. When I was elected to the House of Representatives in 1951 and assigned to the Interior Committee he greeted me as a senior member of the majority both on the committee and in the House. We clashed on his grazing bill which was one of the principal legislative struggles that emanated from the Interior Committee in the 83d Congress. But nevertheless we were friends and our legislative differences were left within the Halls of Congress.

Wes D'Ewart was a stalwart supporter of the Montana farmer. He was an early organizer of the REA in Montana and continued to be a strong supporter of the REA program during his entire career. Wes D'Ewart's contribution to Montana and to America has been considerable. In Montana he was privileged to enjoy his retirement as an elder statesman of the Republican Party. He loved Montana, he was an outstanding Montana citizen and many mourn his passing.

#### NATURE KNOWS NO POLITICS

Mr. KENNEDY. Mr. President, I would like to call to the attention of Senators and readers of the RECORD an article by Stephen Rosenfeld, which appeared in the Washington Post on August 31, 1973. The article is a thoughtful reminder of massive people problems and humanitarian needs resulting from natural disasters, and of the urgent need for a greater compassion and a more organized response on the part of the United States and other countries with abilities to help. I ask unanimous consent that Mr. Rosenfeld's article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

## NATURE KNOWS NO POLITICS

(By Stephen S. Rosenfeld)

Floods in Pakistan, an earthquake in Mexico, drought in West Africa: these disasters remind us that the condition of many—most—humans in the world still depends on acts of nature, not on acts of man. It is a sobering thought, particularly at this time of summer when the government, which is so often thought of (in Washington at least) as the agency principally responsible for our collective ups and downs, is on holiday.

In Pakistan, the flood devastation, though not yet tallied, could well surpass in value and effect the total of foreign aid which the country has received through the post-war years. In West Africa, a region which has received relatively little aid, the toll of drought may amount to some years' GNP.

Americans may be less well equipped than any other people to understand the molestations of nature. We are further from the land and we have been more successful in using money and technology as a cushion against such disasters. New England experienced major floods by its standards earlier this summer, for a small instance, but vacationers who arrived a few weeks later couldn't tell.

It is presently inconceivable in our country that an act of nature could affect the whole prospects of the nation but it is inconceivable in many poor countries that such an act could not. Citing drought and other adverse weather conditions over the last two years, the head of the United Nations Food and Agriculture Organization said in June it was intolerable but true that the world should still find itself "almost entirely dependent on a single season's weather and crop conditions for its basic food supplies."

We Americans sometimes distract ourselves by worrying about such exotic contingencies as the melting of the polar ice cap; but there are serious men who fear that the world's rain patterns may be permanently changing—with terrible effects. Our new concern for the quality of our environment seems trite next to the concern which others have for the fundamental environmental conditions of their personal and national livelihoods.

To most Americans, natural disasters are something to organize relief missions for. To poor people in poor countries, those disasters—whether they come in sudden spurts or are simply a continuing condition of vulnerability to nature—are their lives.

There is only a very tentative and fragmentary world "community" when it comes to natural disasters, for all the well intentioned pleas to compose such a community. The oft quoted Donne line that "no man is an island" is, politically speaking, a mockery. Countries in trouble get token temporary help. With the cold war muted in its third-world aspect and with the rich countries responding mostly to their own internal demands, the day of big handouts seems to have passed.

The goal of improving or rescuing people's lives is approached only very gingerly by the United States, the Soviet Union and other states with means. It's easy to dismiss as "intervention." Political relations among the major countries and blocs preoccupy their politicians and diplomats.

World Bank President Robert McNamara, for one, has urged everybody to consider that misery in poor countries may boil over and affect the security of rich countries. But this appeal to the self-interest of the rich has nowhere been seriously heeded.

It takes one's breath away to realize that the world's population may almost double by the end of the century, an explosion sure to produce ever larger collisions of nature against man, if only because there will be that many more people around to be vic-

timized by floods, droughts and the ravages of other man-aggravated natural disasters.

How much simpler it is to work for a more sophisticated balance of power and a more highly polished structure of peace among nations that, so to speak, occupy the high ground of the globe.

## PROBLEMS ON WALL STREET

Mr. TAFT. Mr. President, during the past several months I have come across some excellent articles in the New York Times and the Washington Post which describe the serious financial problems Wall Street is having at the present time. Although the articles are now several months old, they do underscore quite well some of the fundamental problems on Wall Street today.

These articles point out that whereas the crisis in the late 1960's was related to back-office problems and an exceedingly large volume of business, the present crisis results from a very low volume of business coupled with escalating operating costs. There are, of course, many reasons for the low volume of business, including a lack of confidence in the market partially due to the Watergate situation, the Government's failure to stop inflation and the international money market's gyrations. But I believe that the decline in number of 800,000 individual shareholders in the past year, the first such reversal in 20 years of recordkeeping, is also due to lack of confidence in the workings of the market itself.

I have talked to many individuals, both professionals and individual investors, who believe strongly that the market is becoming more and more dominated by institutions. Understandably, they are quite discouraged about this trend. They question whether individuals should invest in the stock market when its workings are likely to be decided by the actions, wise or unwise, of a few institutional money managers. The statistics of the past year reflect these fears by indicating a substantial decline in the trading of individuals rather than institutions.

The Senate's major initiative this year with respect to the securities markets has been to pass legislation which bars restrictions on the extent to which stock exchange members can deal for their own accounts until commission rates on transactions of all sizes are negotiated. The immediate effect of the legislation would be to give institutions the green light to join stock exchanges simply to deal for their own accounts and save the commission rates they now must pay. It seems evident to me that as a result, institutional dominance of the marketplace can only increase, at least in appearance. Individual investors, noting this trend, probably will become even more reluctant to help provide the market with the depth and liquidity it needs by investing their funds.

I am also not convinced that the individual investor will be better off if commission rates are fully negotiated. From both the standpoint of the rate itself and the necessity to prevent pricing abuses which might eliminate some of the small

brokerage houses that now cater to individual investors, it is desirable to move cautiously when dealing with the problem of negotiated commission rates for small transactions. Regardless of the merits of negotiated commission rates, however, this is certainly a separable issue from the desirability or lack thereof of creating stock exchanges dominated by institutional members dealing for their own accounts.

When securities legislation was before the Senate, I offered an amendment which would have separated the institutional membership question from the negotiated rate question. My amendment would have required that all stock exchange members do 100 percent "public" business within 3 years after enactment.

Only three Senators agreed with that approach. I hope that if the bill is enacted, the vast majority which opposed it will figure out some way to counteract the effects of the bill on small investors. I shall certainly do what I can to see to it that our stock markets do not move even further than they have moved already in the direction of becoming private clubs to be used primarily for the profit of institutions and organizations with vast amounts of capital at their disposal.

I ask unanimous consent that the articles be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

EXCHANGE SCANS FINANCES OF NINE  
BROKERAGE FIRMS

(By Terry Robards)

Nine member firms have been placed under special, intensive surveillance by the New York Stock Exchange because of financial difficulties and some of them probably will have to be liquidated, a Big Board official disclosed yesterday.

Robert M. Bishop, vice president in charge of the exchange's Member Firms Department, did not identify any of the nine firms, but he said the number under intensive surveillance was "about at a high."

The Big Board official said the nine firms were among a total of 68 member firms that had been placed on a so-called "early warning" list because of losses that he described as "quite high in relation to their excess net capital."

He confirmed at a briefing for newsmen that most of the nine firms were retail-oriented, meaning that their business was largely with the public. He said "several" of them already were in the process of shifting their accounts to other firms.

Asked if any would be liquidated, Mr. Bishop responded: "Some of those firms will probably be liquidated in that sense in that their assets will be acquired by another firm and a shell would be left that would be liquidated."

Mr. Bishop's remarks came at a time of growing concern about the financial condition of the securities industry. The decline in the stock market since January and sluggish trading volume have caused many firms to incur operating deficits.

It was disclosed previously that at least 60 firms were being watched because of their losses, but yesterday was the first time that an exchange official had publicly indicated that the losses among some of these were severe enough to require special surveillance.

## DEBT-TO-CAPITAL RATIOS HIGH

Mr. Bishop said the firms that were under intensive surveillance generally had ratios of total indebtedness to net capital exceed-



ing 10 to 1, although some firms had been placed on the intensive list for other reasons. The maximum ratio permitted by the exchange is 15 to 1, but 10 to 1 is considered an undesirable level.

The Big Board official was asked to compare the present financial situation in Wall Street with the crisis between 1969 and 1971, when more than 100 member firms disappeared either through merger or liquidation.

He said the squeeze at present was as acute as the one that occurred several years ago and "perhaps is a little more widespread" than previously. However, he also indicated that the exchange was able to keep a closer watch now because of an improved surveillance system.

He noted also that the crunch of 1969-71 had occurred partly because of a "lingering backlog of operational problems," whereas the present squeeze apparently stems mainly from the unexpected decline in trading volume at a time of rising costs.

In an unrelated development yesterday, Hornblower & Weeks-Hemphill, Noyes, a large Big Board firm, demanded that the exchange's board of directors investigate and take disciplinary action against Edwards & Hanley, another member firm, for allegedly spreading false rumors about Hornblower's financial condition.

Numerous rumors of financial distress have circulated in recent months in response to the decline in trading volume and to a number of mergers among small member firms of the exchange. The aim of the merger is believed to be a reduction of costs.

William C. Freund, vice president and chief economist for the Big Board, said trading volume on the exchange had averaged 16 million shares a day in the first five months this year and 12.6 million shares daily so far in June. He said volume in the first five months last year averaged 17.8 million shares daily.

Eugene Miller, senior vice president in charge of public relations and investor services, announced that the exchange's board of directors voted yesterday to withdraw a previous proposal for reimposing fixed minimum brokerage rates on the portion of orders over \$300,000 in value.

#### SPEEDY S.E.C. ACTION SOUGHT

The major reason for this action, Mr. Miller said, was that the industry was "in such desperate need for the revenue package it proposed some time ago." He said the board hoped that abandoning its request for rate relief on large orders would help speed action by the Securities and Exchange Commission on a request for relief on smaller orders.

Earlier this month, the Big Board asked the commission for approval to increase by 10 per cent the commission rate on orders from \$100 to \$5,000 and by 15 per cent on orders from \$5,000 to \$300,000. The purpose of these increases would be to overcome the current financial squeeze in Wall Street. The commission has indicated it will hold hearings on this proposal.

The exchange and numerous industry officials have contended for years that the small orders generally executed for small, public investors are unprofitable because the commissions do not come close to covering the costs of handling the trades.

Well-placed sources have indicated repeatedly that the most troubled houses in the brokerage business today are those whose order mix includes a predominance of small, retail transactions executed for small investors.

#### FIXED COSTS HIGH

Such firms generally have high fixed costs in relation to the size of their orders and are unable to reduce their costs quickly in response to falling trading volume.

Two retail firms, duPont Glore Forgan, Inc., and Walston & Co., said yesterday that

they would close or consolidate 30 to 40 of their branch offices in an economy move. The two firms are among the 10 largest retail-oriented houses in the securities industry.

The firms also indicated they had recently laid off 150 employees in New York and would lay off additional workers. Walston now has 100 offices and 3,600 employees, while duPont has 955 offices and 3,700 employees.

DuPont is controlled by an investor group headed by H. Ross Perot, chairman of the Electronic Data Systems Corporation of Dallas. The same group also owns a one-third interest in Walston and would increase its interest under a plan to merge the operations of the two firms.

#### WALL STREET IS AGAIN GRIPPED BY SERIOUS FINANCIAL CRISIS

(By Terry Robards)

Slowly, relentlessly and with surprisingly little public acknowledgment, Wall Street has slipped into another serious financial crisis that is wiping out profits in the securities industry and forcing investment firms out of business.

Less than three years after it emerged from its worst period since the Depression, the industry once more finds itself with falling revenues, mounting deficits and little hope for immediate relief.

So far, the latest crisis has not caused any major firms to topple into bankruptcy. But few knowledgeable people in Wall Street doubt some frightening failures will occur in the coming months if the stock market remains dull and lethargic.

James J. Needham, chairman of the New York Stock Exchange, described the current affliction as "an enormous profit squeeze" and suggested last week that the capital drainage under way in the industry might soon force it to begin curtailing services to investors.

James W. Davant, a director of the exchange and chairman of Paine, Webber, Jackson & Curtis, Inc., a leading brokerage house, said: "I think the situation is serious. This really is the toughest period I've seen in 26 years in this business."

William C. Freund, vice president and chief economist for the Big Board, said: "The essential fact is that the securities industry is being drained by unsustainable losses. Capital is rapidly being eroded."

Leon T. Kendall, president of the Securities Industry Association and another top economist, was equally concerned, but he said that the crisis was different today than during the industry's 1969-71 shakeout.

"The problem the last time was too much business," he said. "It was pretty well geared into operations. This time it's too little business and it's starting out with too little. What a difference!"

Almost everyone agrees that the central problem has been declining revenues in the face of sharply rising costs. Wall Street has been no less immune to inflation than most other parts of the economy. Yet its revenues have been falling, producing a classic squeeze. Profits have been disappearing.

The solution endorsed by Mr. Kendall, Mr. Needham and most other industry leaders is commission-rate relief, which must be acted on by the Securities and Exchange Commission. The Big Board recently presented a rate package to the commission and is awaiting action, but no one dares to predict what action will be taken.

#### PICTURE IS GLOOMY

Wall Street's current plight is rendered even more precarious by the onset of the summer doldrums, a period usually characterized by reduced trading volumes in the securities markets and lower revenues for investment houses.

Although activity in the stock market has accelerated in the last two weeks and provided a helpful lift to brokerage revenues,

there is no assurance that the upsurge will continue. Moreover, history suggests activity will decline again as the summer wears on.

The hard facts that describe the situation paint a gloomy picture. Consider the following:

While almost every other sector of the economy is booming, the member firms of the stock exchange in the aggregate have not experienced a profitable month so far in 1973.

The exchange's members incurred losses of \$193-million in this year's first half, including an estimated \$118-million in the second quarter.

In May, the latest month for which exact figures are available, 57 percent of the exchange's member firms operated in the red.

The number of Big Board firms at midyear totaled 543, the fewest since 540 at the end of 1943, deep in World War II.

The number of employees in the exchange community is believed to have fallen by 6,000 to 8,000 so far this year, although no firm estimate is available.

If losses continue at the rate experienced in this year's first half, the securities industry's cumulative deficit in the next four years will surpass its total present capital of \$3.7-billion.

The common stocks of all 16 publicly owned investment firms in the industry are selling at less than the asset values of the firms themselves, effectively closing the door to any further public financing for securities concerns for the present.

Other developments, less easily quantified, loom just as importantly. For example, no one knows how many talented people have been lost to other industries, not to mention how many capable people will never even consider working in Wall Street.

"This is just opinion rather than fact, but I think a lot of good people have already left this business," Mr. Davant of Paine, Paine, Webber said, suggesting that Wall Street's malaise is so pervasive that some executives are "just giving up."

Perhaps the most seriously injured are the salesmen, or registered representatives, who have seen their commission revenues decline steadily ever since the stock market peaked in 1968. Their method of compensation is based on volume, and volume has fallen sharply throughout the securities markets.

#### MISTAKEN IMPRESSION CITED

At the same time, stock prices have fallen as well, further reducing the yield from sales commissions. "God, I'm dying," a retail salesman for a well-known Big Board house said. "I could move to Florida and sell brushes door-to-door and pull in more than I'm getting now."

In general, those six-figure incomes for sales personnel are gone. Many account men are said to have left the business in disgust to start new careers in other industries, where the chances of striking it rich are small but where the money is at least steady.

Mr. Kendall of the S.I.A. said that not only the public but Congress as well had a mistaken impression of the money being made in the securities business. "They're working on that 1960 premise that securities companies make too much money," he said. "They keep saying, 'I'm not gonna pay for your country club.'"

Merrill Lynch, Pierce, Fenner & Smith, Inc., traditionally one of the most profitable houses in Wall Street, has laid off hundreds of workers this year and, earlier this month, implemented salary reductions of 10 to 20 per cent for the top executives to help to bring costs down into line with volume.

Merrill Lynch is considered efficient and well-managed—perhaps the best managed of all the retail houses—but it was helpless in the face of cost increases beyond its control. The huge brokerage concern reported last

week that its second-quarter earnings plummeted 81 per cent.

But at least Merrill Lynch still had earnings. Paine, Webber, Mr. Davant's firm, reported a fiscal third-quarter deficit of \$1.3-million, in contrast to a year-earlier profit of \$1.5-million. The firm also omitted its common-stock dividend. Like Merrill Lynch, Paine, Webber had always been a big money-earner, respected for its ability to weather financial storms in Wall Street without dipping into the red.

The same is true of E. F. Hutton & Co., yet another big house, which reported a second-quarter deficit of \$922,000, representing an extraordinary turnaround from the \$2.4-million it earned in the June quarter last year.

Dean Witter & Co. eked out earnings of only \$132,000 on revenues of \$35.1-million in the fiscal quarter ended May 31, while Bache & Co., second only to Merrill Lynch among Wall Street's biggest houses, won congratulations when its deficit in the April 30 fiscal quarter was only \$496,000, in contrast to earnings of \$4.2-million in the year-earlier period.

Reynolds Securities, Inc., which never had a loss even during the worst of the 1969-70 bear market, said its June quarter profit tumbled to \$645,000 from \$2.3-million. Robert M. Gardiner, president, expressed pride at having stayed in the black.

For these, the largest and best-capitalized of Wall Street's investment houses, survival is not a problem—at least not at present. They can await the return of better market conditions, biding their time while others give up and go out of business.

That numerous others will not survive does not even seem to be in question. A game played only partly in jest by some of Wall Street's cognoscenti is informally titled "Who's Gonna Be Next?" The names that are bandied about include some of the best-known in the securities business.

So far, however, no big house has failed in the current squeeze. Weis Securities, a fairly large firm, is being liquidated by the Securities Investor Protection Corporation, but its problems have been attributed by Federal authorities to internal fraud rather than market conditions.

The presence of S.I.P.C., of course, should be comforting for the public. The federally backed, industry-financed organization was created by Congress in late 1970 to insure investors against losses in the event of brokerage-firm collapses.

Although customer accounts tend to get tied up for extended periods during liquidations, S.I.P.C. at least now stands between investors and total ruin should a brokerage house suddenly topple.

One other measure of comfort can be taken in the fact that the current crisis does not stem from operational or back-office record-keeping problems. The back-office mess that led to the difficulties of 1969-71 has been cleared up.

Big Board officials repeatedly offer assurances that there will be "no surprises" this time around, and the ground exists to believe them. Financial and reporting requirements for all member firms—and almost all major firms are Big Board members—have been strengthened since the last holocaust.

Recently, Robert M. Bishop, senior vice president in charge of regulation and surveillance for the exchange, reported that 68 member firms were on the exchange's "early warning" list and that nine of these had problems serious enough to warrant special attention.

The list of 68 was larger than at any time during the 1969-71 crisis. However, the tightening of capital requirements has made it easier for firms to get on the list, which means the situation may be better than it seems.

#### STOCK EXCHANGE ASKS INCREASE: COMMISSION RATE HEARINGS SET (By Jack Egan)

The Securities and Exchange Commission will begin hearings today into an "urgent" request by the New York Stock Exchange for a substantial boost in the commission rates stock brokers charge for executing trades for both small and large customers.

The American Stock Exchange, while strongly supporting the need for quick rate relief, has offered its own proposal that would spare the small investor from any rate increase while raising the charge more substantially for larger market participants.

In the backdrop to the hearings, which are expected to run two weeks, is the perilous financial condition of the brokerage industry for the first half of 1973.

The flow of red ink has been torrential. The NYSE estimates that member firms lost more than \$150 million in the first five months of the year. This compares to profits of \$580 million for the same period of 1972.

The total swing of \$730 million from lush profits to formidable deficits has put many brokerage firms on the edge of survival. More than 50 per cent have suffered losses so far this year.

The Big Board reported in June that 68 member firms—nearly one out of five—were on its "early warning" surveillance list because of operating losses that imperiled their capital positions.

Robert M. Bishop, a senior vice president of the NYSE, said the situation was "as acute" as the 1968-70 period when more than 100 brokerage houses failed, merged or stopped operations.

There have been several causes for the recent revenue losses with the results being compounded. A slumping stock market since middle January has been accompanied by dwindling volume. At the same time, inflation has continued to increase fixed costs for brokerage firms.

In addition, the small investor, either disenchanted by the sagging market or institutional dominance, or scared off by the shaky financial condition of many brokerage firms, has been leaving the market in a steady stream or stayed firmly planted on the sidelines.

The NYSE rate increase proposal however makes its case on the single ground of inflationary cost increases, claiming an 18 per cent rise in business costs since April, 1970, when the last across-the-board rate increase was granted.

The Big Board is asking for a \$300 million revenue increase from a 10 per cent increase on transactions of \$100 to \$5,000 and a 15 per cent increase on trades of \$5,000 to \$300,000. At present, the portion of trades above \$300,000 are subject to negotiation and would remain so.

The NYSE at one point interpolated a provision for a 4 per cent rate floor on the negotiated area which it claimed would bring in an additional \$50 million in revenues. But this was quickly withdrawn with a spokesman explaining "that this proposal would have muddled the waters and delayed consideration of the basic package."

(The Commission floor idea was quickly attached as an attempt to reinstitute fixed rates. Industry observers said this would have opened an unwelcome can of worms in any SEC rate hearing. The Big Board earlier this year embraced and then backed off from support of fully negotiated commission rates.)

The American Stock Exchange, while endorsing the broad outlines and argument of the NYSE proposal, last week in a letter from its chairman, Paul Kolton, to the SEC put forward its own rate formula that would avoid any impact on the small investor.

"While there is no definitive evidence linking the level of commission rates to the de-

gree of participation in the markets, and while there is every justification for increasing rates to offset inflationary costs, the exchange is concerned that such a move might be self-defeating if its effect is to further alienate the small investor," the letter said.

The Amex is therefore proposing no increase for trades less than \$2,500, a 10 per cent boost for trades between \$2,500 and \$5,000, a 15 per cent increase for transactions between \$5,000 and \$20,000 and a 20 per cent increase for trades in the \$2,000 to \$300,000 range. Kolton in his letter said the amount of new revenue raised would be approximately the same.

The SEC, while making no prejudgments as to merits, has said the hearings will be handled with dispatch because of the urgency of the request.

This will not be an adversary proceeding, but the SEC staff is expected to ask tough questions to make the exchanges prove their case and to elicit a full range of information.

The SEC is expected to be at full five-man strength to make any final decision on a commission rate increase by the time the hearings are over.

The Senate Banking Committee has indicated it will hold confirmation hearings later this month on President Nixon's two recent commission nominees—Ray D. Garrett for chairman and A. A. Sommer Jr.

While the NYSE might like to keep its testimony to the narrow area of inflationary increases of personnel, postage and other fixed costs, the hearings are sure to provoke a more extensive inquiry into many of the questions raised by the current commission rate structure.

#### PROGRAMS FOR STUDENTS

Mr. KENNEDY. Mr. President, the New York Times published an article on September 4, 1973 outlining the various programs available to students who need financial aid in order to continue their education. The article is precise and contains extremely valuable information which the young people of our Nation should take advantage of. In that regard, I respectfully request that the article, "Programs Helping College Students" be printed in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

##### PROGRAMS HELPING COLLEGE STUDENTS BASIC EDUCATIONAL OPPORTUNITY GRANTS

Eligibility: Open to full-time freshmen at colleges, universities and vocational and technical schools who did not attend a post-secondary educational institution prior to July 1, 1973.

How to apply: Applications are available from post-secondary institutions, high schools, post offices, state employment offices, county agricultural extension agencies and Box G, Iowa City, Iowa, 52240.

When to apply: As soon as possible for the academic year now beginning.

Criteria: Family income and assets determine who gets a grant, academic achievement having no bearing. Applicant must complete a detailed financial statement that is subject to comparison with the Federal income tax return that parents have filed with the Internal Revenue Service. In general, a student from a family of four with an income of \$11,000 or more would not qualify for a grant. However, factors that can offset a higher income and enable a student to get a grant are a large family, brothers and sisters in college, both parents working and unusually large medical expenses.



**Size of Grant:** Ranging from \$50 to \$452—the top grant going to a student from a family that according to its income and assets cannot afford to contribute anything toward the student's education.

**Terms of repayment:** This is a grant and there is no repayment involved.

**Comments:** No eligible student whose certifiable need meets the established criteria will be turned down by this program. Also, the grant will be awarded regardless of any other Federal grants or loans the student may receive. If a sufficient level of funding is authorized by Congress, the program is to be expanded to include all needy undergraduates, full-time and part-time. The top grant would be \$1,400.

#### GUARANTEED STUDENT LOANS

**Eligibility:** Anyone enrolled as an undergraduate or graduate student in any of 8,200 participating colleges, universities and nursing, vocational, technical, trade, business or home study schools.

**How to apply:** Applications may be obtained from participating educational institutions, banks, savings and loans, credit unions and the United States Office of Education.

**When to apply:** at any time.

**Criteria:** All students are eligible, regardless of how high the family income. Only those with established need, however, can qualify to have the Federal Government pay the interest on the loan; others must pay their own interest. Those seeking interest-subsidized loans must fill out a needs analysis divulging income and assets. Such factors as a large family, brothers and sisters in college, both parents working and unusually large medical expenses are taken into consideration. The financial aid office of the educational institution processes the application, applying a mandated formula, and recommends to the potential lender the amount of the interest-subsidized loan (including a possible zero dollar recommendation) for which the student qualifies. Prior to March 1, a student from a family with an adjusted income of less than \$15,000 could qualify for an interest-subsidized loan, but under new regulations many students who formerly qualified are finding themselves ineligible.

**Size of loan:** In general, loans may be for up to \$2,500 a year—not to exceed \$7,500 during an entire undergraduate career and \$10,000 during the course of undergraduate and graduate education. The annual amounts and cumulative totals vary, though, in some states, including Connecticut and New York.

**Terms of repayment:** No payment on principal is required until nine to 12 months after the student leaves school or until after service in the military, Peace Corps or VISTA. Once repayment begins, it is to be completed over a period of not more than 10 years and not less than five years, or sooner if the loan can be paid off at a rate of \$360 a year. In the event of default, the Federal or state guarantee agency will compensate the private lender and attempt to recover the money from the student.

**Comments:** While this program appears to be open to all applicants it has not worked out that way. All of the money being loaned belongs to private lenders who participate voluntarily and retain the ultimate decision about who gets a loan. The new needs analysis formula has had the effect of disqualifying many of the students who would have gotten interest-subsidized loans under the old rules. The lending institutions could go ahead and give loans through the program that are not interest-subsidized, but are reluctant to do so. Not only is this a time of tight money, but apparently the lenders do not want to get too much of their money tied up in loans on which payment on the principal is delayed until after the student leaves school.

Moreover, while a lender can bill the Fed-

eral Government in one lump sum for the interest on all the subsidized loans, students must be billed individually for interest on unsubsidized loans—making such loans unattractive to the lender because of the greater servicing costs. The March 1 regulations were ostensibly to make it easier for the middle-class to get the guaranteed loans, but the change has had the opposite effect. Congress has had hearings on the problems that have developed and there is a widespread opinion among authorities on the program that the law needs further changes if it is actually meant to be of use to students from a wide range of income groups.

#### SUPPLEMENTARY EDUCATIONAL OPPORTUNITY GRANTS

**Eligibility:** For undergraduates in colleges and universities and students in other approved post-secondary schools. Half-time as well as full-time students.

**How to apply:** Through the financial aid office of the institution in which enrolled.

**When to apply:** As soon as possible for this year and upon acceptance for next year.

**Criteria:** For students of "exceptional need," who without the grant would be unable to continue their education. Final determination of need is up to the college's financial aid office. This grant is often given in combination with National Direct Student Loan and College Work-Study aid to form a single assistance package.

**Size of grant:** Not less than \$200 or more than \$1,500 a year. Normally, renewed for up to four years—or five years when course of study requires extra time. The total that may be awarded is \$4,000 for a four-year course of study and \$5,000 for a five-year course.

**Terms of repayment:** This is a grant and there is no repayment involved.

**Comments:** In the past, 72.7 per cent of these grants have gone to students whose family income is below \$6,000; students from families with incomes in excess of \$9,000 have received 4.2 per cent of the grants.

#### COLLEGE WORK-STUDY

**Eligibility:** For undergraduates and graduate students in colleges, universities and approved post-secondary schools. Half-time as well as full-time students.

**How to apply:** Through the financial aid office of the institution in which enrolled.

**When to apply:** As soon as possible for this year and upon acceptance for next year.

**Criteria:** The offer of a job is based on need, as determined by the college's financial aid office. The Federal money is used to pay the wages. The job may be for as many as 40 hours a week at a nonprofit on-campus (cafeteria, library, laboratory) or off-campus (hospital, school, government agency) site. Usually awarded as a package in combination with Supplementary Educational Opportunity Grant and National Direct Student Loan.

**Amount of pay:** From \$1.60 to \$3.60 an hour. Average annual compensation being \$600.

**Terms of repayment:** These are wages for hours worked and there is no repayment.

**Comments:** In the past, 56.7 per cent of the work-study jobs have gone to students whose family income is less than \$6,000; students from families with incomes in excess of \$9,000 have received 17.3 per cent of the jobs.

#### NATIONAL DIRECT STUDENT LOANS

**Eligibility:** For undergraduates and graduate students in colleges and universities and approved post-secondary schools. Half-time as well as full-time.

**How to apply:** Through the financial aid office of the institution in which enrolled.

**When to apply:** As soon as possible for this year and upon acceptance for next year.

**Criteria:** The loan is based entirely on need, as determined by the college's financial aid office. Usually awarded as a package

in combination with College Work-Study and Supplementary Educational Opportunity Grant.

**Size of loan:** Up to a total of \$2,500 while enrolled in a vocational school or during the first two years of a degree program. Up to a total of \$5,000 while studying toward a bachelor's degree and up to \$10,000 during the entire undergraduate and graduate career.

**Terms of repayment:** Begins after leaving school or service in military, Peace Corps or VISTA. Interest of 3 per cent on unpaid balance of loan is charged when repayment period begins. Maximum length of repayment period is 10 years. Loan is canceled and no repayment necessary for teachers of the handicapped and teachers in inner-city schools and servicemen who spend one year in a combat zone.

**Comments:** This is the original of the Federal assistance programs for students, which began as the National Defense Student Loans in the late nineteen-fifties in the wake of the panic over the launching of the Soviet Union's first satellite. It was awarded on the basis of academic achievement, largely to students in the sciences and education. Academic achievement no longer figures in the loan and major field of study makes little difference. Students from families with incomes in excess of \$12,000 get 10.6 per cent of the loans.

#### C-5A GALAXY AIRCRAFT

Mr. THURMOND. Mr. President, in a time when almost every aspect of our military is under criticism from somebody, it is heartening to read favorable articles based on objective and unbiased empirical data. Thus, I was very pleased recently when my attention was called to two stories lauding the much-maligned C-5A Galaxy aircraft, the world's largest plane.

The stories were written by one of South Carolina's most distinguished broadcasters, Mr. Norvin C. Duncan, Jr., of WFBC television in Greenville, S.C. He relates his experience on a flight from Charleston Air Force Base to Rhein-Main Air Force Base in Frankfurt, Germany and back and concludes the C-5A is a "monumental achievement." I concur in this assessment and I would like to share Mr. Duncan's poignant thoughts with my Senate colleagues.

Therefore, Mr. President, I ask unanimous consent that the feature story on the C-5A which was broadcast on "The Scene Today" program on WFBC-TV, August 3, 1973; and the article entitled "C-5 Alive and Well; Romance of Flight Not Dead," which appeared in the Greenville News of Greenville, S.C., August 5, 1973, be printed in the CONGRESSIONAL RECORD at the end of my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### THE SCENE TODAY

This is the largest airplane in the world... not a 747 "jumbo" jet of the commercial airlines... It's a C-5A... a plane we can appropriately call a "super jumbo" jet—and it's in the service of a military airline. (No, the Air Force doesn't actually call its fleet of planes an airline... the term is the Military Airlift Command.)

Anyhow, we personally think of M-A-C ("Mac," as a nickname) as a sort of "super airline". This C-5 is MAC's "big boy"... the Great Bird with a tail-assembly 6 stories high. You can't tell it from this picture, but

the big load of "hardware" that's going into the rear of the plane is only a small part of the total payload this giant craft can carry: The cargo compartment is as big as an eight-lane bowling alley!

We went to Charleston A.F. Base a few days ago and boarded one of these big birds for a typical airlift mission of the C-5, which incidentally has the nickname "The Galaxy."

This particular flight was to the American Air Base in Frankfurt, Germany—the "Rhein-Main Base" which many people here in the Greenville area remember from the days of the local Donaldson A.F. Base.

One of the C-5 crewmembers, by the way, turned out to be a Loadmaster who used to be at the Greenville base—M/Sgt. John A. Davis, who has been stationed at Charleston for several years. Sgt. Davis is one of three Loadmasters who was on our flight to Germany.

And one of the three pilots of the Galaxy was Capt. Thomas F. Stevens, Jr., who also served as Aircraft Commander, assisted by Major Hampton P. Johnson and First-Lieut. Gerald Alborn. (Maj. Johnson happens to be from Lancaster, S.C., and is a graduate of Clemson University, Class of '54.)

An Air Force officer accompanying us as a so-called "escort officer" was Capt. John Atkinson, who is stationed at Charleston as a C-141 pilot. They gave Capt. Atkinson a few days off from his duties as a pilot in order to guide us civilians around with the proper courtesies. . . . And that he did! In fact, he and every one of the U.S. Air Force people with whom we came in contact impressed us tremendously with their knowledgeability, their pride in their work, and their attention to details.

But now—let's look a bit more closely at the mammoth plane that's the principal subject of this feature. . . . Here's about a dozen of the almost-unbelievable craft, lined up on the flightline and waiting for whatever assignment might come next—whether carrying army tanks to our forces in Germany, a load of trucks to Turkey, or a cargo of relief supplies for earthquake-stricken people in Nicaragua.

This great plane is such a sight to behold that we just panned the camera around it several times. . . . fuselage, engines, tail-assembly, nose. . . . Listen to the statistics that make it the biggest thing with wings: Nearly 250 feet in length; 65 feet high at the tail (that's six stories up); wingspan of 223 feet; maximum weight of 765,000 pounds; maximum payload of 265,000 pounds; (Incidentally, its maximum weight is 85,000 pounds more than that of the commercial 747 jumbo airliner!)

And here's one of the great things about this C-5 Galaxy, a plane so huge that you wonder if any plane should be that big: Although it's roughly twice the size of a C-141, it carries a maximum payload of nearly four times the load of a 141!

And withal, the C-5 does not relate to the kind of cumbersome situation you'd have if you put wings onto an over-sized truck, so to speak. . . . It's a smooth-flying, smooth-handling aircraft that's a gentle giant of a plane, capable of putting American forces and their equipment anywhere in the world. . . . within hours. When it lands, you hardly know it's touched down the weight is so evenly distributed on its 28 wheels.

It can easily deliver 100,000 pounds of cargo to a point 6,300 miles from base, at better than 500 mph. . . . and if that weight is doubled, it will cover about 3,000 miles at the same speed!

Now. . . the great bird having lifted off from the Eastern U.S., we fly at more than 500 MPH across the Atlantic. . . . Altitude approximately 28,000 feet. . . . computerized equipment furnishing the Flight Engineer, Navigator and pilots with myriad details about the performance of every vital segment of the aircraft. . . .

About eight hours later we're touching

down in Germany at Frankfurt's big Rhein-Main A.F. Base, where many thousands of American military personnel have been serving since the end of World War II.

Frankly, our thoughts turned into "wishful thinking" after we'd been at Rhein-Main a while—wishing that we could turn back the old calendar and enlist in the Air Force! (We haven't been asked by the Recruiting Office to say a word, but we're surely compelled to say, after this visit, that duty in places like Frankfurt and Wiesbaden can be both a pleasure and a real educational!) . . . By the way, it's even true of being in the Air Force Reserves: One of our crew members from Charleston is a Reservist; he's M/Sgt. William E. Moyer, and he made the trip as a Flight Engineer from the 300th Military Airlift Squadron.

Our visit to Rhein-Main was made most interesting and pleasant by people like Col. Jim Martin, the terminal manager; Col. Holowell, Wing Commander; and Col. Ed Nash, Director of Operations for the 21st Air Force.

Time passes much too quickly on a trip of this kind, and before we realized it our Great Bird was being loaded for the return trip to Charleston.

Inside the careenous fuselage of the C-5 there's a double-deck arrangement. . . . and this provides for all the "hardware" to be placed in the main lower compartment. Personnel are situated in the upper portion, the upper deck having seats for 75 persons behind the wing, with a galley and lavatories and so forth. Ahead of the center-section of the wing, are accommodation for about 20 others, including a crew of six.

Our thanks were expressed to all of those who made the visit to Frankfurt a memorable one, and we were ready again to board the C-5. . . . this time for a flight that would take us on a somewhat more northerly course than previously. Our pilot informed us on departure that we'd fly over northern England, Scotland, thence over Iceland, into the fringes of the Arctic Circle, then Labrador and Canada, then inland over the U.S. from about Albany, N.Y. on down to Washington and to Charleston.

In concluding this most interesting and fascinating flight to Germany and return on the C-5, we offered our sincerest thanks to the personnel of the 437th Military Airlift Wing—and especially to Capt. David Duggan, the Public Information Officer who served as coordinator.

The C-5's of Charleston are currently in process of moving to Dover, Delaware. . . . but the personnel of Charleston A.F. Base, and the residents of the state's port city, will long remember having been host for three years. . . . to a noble craft!

#### C-5 ALIVE AND WELL: ROMANCE OF FLIGHT NOT DEAD

(By Norvin C. Duncan, Jr.)

(EDITOR'S NOTE.—The author, longtime broadcaster and feature writer, recently accompanied a U.S. Air Force crew on a routine round trip flight from Charleston, S.C., to Frankfurt, Germany in the world's largest plane, the C-5A.)

CHARLESTON.—They call it the Holland Tunnel With Wings, the Aluminum Cloud, the Troop Scoop, the World's Largest Convertible. These and many other nicknames are applicable, but the formal and official name of the U.S. Air Force's (and the world's) largest aircraft is the C-5A Galaxy. Generally now, it's just the C-5, with the "A" dropped, and for some reason the word "Galaxy" hasn't been picked up and used commonly as in the case of its C-124 predecessor, the "Globe-master".

Our just-completed trip to Rhein-Main Air Force Base at Frankfurt, Germany and back to Charleston has climaxed an eight-year affaire de coeur this writer has had with

the C-5. Having followed the story of the giant plane from the days of its original mock-up at the Lockheed plant in Marietta, Ga., we are prepared now to render a personal verdict on the super-jumbo jet that often has stirred controversy. The verdict: It's a monumental achievement and a solid success.

There were numerous early difficulties, along with inevitable political ramifications, but the C-5 has emerged as something quite close to a miracle accomplishment on the part of American industrial-scientific genius. Eighty-one of the big birds have been built, the last being completed only recently at the Marietta plant, and today the Galaxy has become an international figure, regularly spanning the Atlantic and the Pacific on great, gray wings.

In the space-age world of today, even this mighty craft with its fantastic globe-girdling capabilities have little chance of capturing the public fancy in the manner of, say, Lindbergh's "Spirit of St. Louis" or Wiley Post's "Winnie Mae". But moon flights and upcoming trips to Mars notwithstanding, the mundane matter of getting around and ferrying things from place to place on this planet will be the business at hand for many years to come. The C-5 is now demonstrating daily that it's an airlift dream-come-true.

There's a note of disappointment, however, in one aspect of the Galaxy's status as far as Charleston is concerned: The bird is flying north and will shortly cease to call Charleston Air Force Base an official haven. In recent weeks the local C-5 squadron, a unit of the 437th Military Airlift Wing, has been in process of phasing out its operations here and moving to Dover Air Force Base, Delaware. (Charleston retains its C-141 aircraft, and will receive additional planes of this type from Dover in exchange for the C-5s. Officials explain that the larger craft will be more suitably located in Delaware with respect to cargo pickup, routing procedures and other factors.)

It was on June 6, 1970, that the first Galaxy, a gentle giant of an airplane which has a tall assembly rising six stories high, set down here to become part of the first operational squadron of C-5s in the nation. Several months later, two other bases were designated for the craft—Travis AFB in California and Dover AFB. Now, after three years as a home base for the great planes, Charleston loses an important airlift unit but will long remember having harbored the first as can no other craft.

This writer readily admits to being a throwback (with Richard Bach and his Jonathan Seagull) to a romantic passion for airplanes that many believe has vanished with the coming of the jet age. The enormous success of the Seagull volume (in 1972 breaking all hardback book records since "Gone With the Wind") would seem to indicate that the end of the romantic passion for flying is not yet; indeed, that many of us even in the non-pilot category like to use flight (as do Richard Bach and Antoine de Saint-Exupery) as the metaphor of which to study the terms of life. To this end, the C-5 serves as can no other craft.

The facts of the Galaxy's size and capabilities are impressive enough: approximately 250 feet long and 65 feet high, with wingspan of 223 feet; maximum weight of 764,000 pounds; cargo compartment equivalent to an eight-lane bowling alley, with room for more automobiles than 13 transport trucks can carry; fuel capacity of 49,000 gallons, which would empty six and a half rail tank cars. But even more impressive are the logistical figures in terms of payloads and economic efficiency, in comparison with those of other aircrafts.

The Air Force plane next in size, for example, the C-141 Starlifter (itself a four-engine jet of considerable capacity) carries a maximum payload of approximately 71,000



pounds; the C-5, a little more than twice as heavy, carries a maximum payload of 265,000 pounds, three and a half times as much as the Starliner.

Sometimes the question is asked—Is this plane necessary? By the same token, it might be asked whether any plane is necessary, or whether the nation's outer space program should be continued. Logic would seem to indicate that man's situation on this planet, with increasing numbers of people creating increasing demands for rapid transport from continent to continent, will make the C-5 an invaluable item in the America inventory for years to come. The winding down of shooting conflicts makes the C-5 no less important, for it is designed to serve the requirements of the American presence on the world scene in both war and peace. It is at once an instrument of our own defense, and a means of conveying assistance to friendly nations in terms of military aid or rehabilitation from flood or earthquake famine or pestilence.

Flying at more than 500 miles-per-hour at around 30,000 feet, one is going to feel the spirit of Jonathan Seagull in the C-5 if in no other plane. One must believe, with pilot-author Richard Bach, that every molecule, every rivet, every component of the 41,000-pound thrust engines, is throbbing with some kind of life. And there's more: extensions of the craft's life to points thousands of miles away, through radio and navigational aids and computers that connect with other computers at Houston. If anything at all interferes with the throbbing of the craft's life, the sentinels of science go to work instantly. How incredibly different, one muses, from the solitude of Lindbergh's odyssey or the crushing loneliness experienced by French mail-plane pilot Saint-Exupery. The latter, one recalls, wrote of the moral taught by intrepid early fliers: We understand better, because of them, that what constitutes the dignity of a craft is that it creates a fellowship, that it binds men together and fashions for them a common language.

The casual observer of a C-5 setting down in Charleston, or in Europe or Asia or wherever on a much shorter runway which will accommodate the plane with remarkable ease, may view the mammoth craft with awe but with little understanding of how it came to be. Like all aeronautical systems, the C-5 was born humbly as a "paper airplane" at Wright-Patterson AFB, Ohio. There, the huge transport was defined in writing: a capacity of 110 tons for 3,000 nautical miles at 440 knots with shortfield landing ability. That was about eight years ago. In August 1966, fabrication of the first Galaxy began at Lockheed. Manufacturing operations involved jumbo amounts of material:

Nearly 200,000 pounds of aluminum; 8300 pounds of titanium; 35,000 pounds of steel; 4300 pounds of fiberglass.

Fashioning the poundage into an aircraft required, in turn, special tooling, facilities, and even oversized railroad cars to transport components. The manufacturer had more than 300 sub-contractors who funneled structures, systems and equipment into the plant at Marietta, Ga. In addition, there were nearly 2,000 suppliers of small parts, materials and services in 41 states and Canada, England, Germany and Scotland. The engine builder, General Electric, received parts from more than 800 sub-contractors for the TF-39 engine.

Meshing became the key work for the job: parts from all contractors had to fit together as though one Herculean craftsman did it all himself. The task was complicated in many respects, and the production challenges were unique, but the C-5 was ready to take the air in June 1968 at Dobbins AFB, Ga. The historic first flight was made by a five-man test team who termed the craft "a really sweet flying airplane."

Today the flights of the C-5 are routine. That term means, of course, that all the knowledge and experience gained during the past five years of Galaxy operations go into the planning and execution of every flight order. Men like Captain Thomas F. Stevens, Jr., and Captain Richard A. Zabel, can pilot the big plane with surprising ease and remarkably little exertion on their part (at least from the observer's view), thanks to clusters of automatic equipment, computerized information that is constantly at their fingertips, and the readily available assistance of highly-trained crew members such as flight engineers, navigators and loadmasters.

Sitting "up front" with the crew and looking out at a carpet of clouds covering the Atlantic far below, one thinks of the mariners of other times who steered their ships by the stars and spent agonizing weeks bringing their vessels through heavy seas. Ships' captains were bearded men of considerable maturity and many years' experience before the mast; but here in the jet age is a Levathan-of-the-Sky captained by a clean-shaven all-American-youth type, seeming impossibly young for the assignment of commanding a giant airship with its tremendous load of hardware and humanity. The aircraft commander's youthful appearance and calm mien, however, simply don't reveal the vast storehouse of knowledge, the expertise in science and machinery, that have become second nature to the C-5 pilot and which the ancient mariner could hardly have dreamed of. True, there's much in the way of automation to help today's Galaxy fliers, but in the final analysis the human touch is paramount. Witness the pilot's radio message as he sights a distant thunderhead: "Request permission to deviate due to weather fifty miles in front . . ."

So the day by day utilization of the world's largest plane has become a no-fanfare thing. The C-5 flies non-stop to Europe, Asia, anywhere, with several times the cargo volume of other craft. As it passes overhead, its size belied by distance, the observer gives hardly a thought to the plane's vital statistics, one of which is this: the length of its cargo compartment alone exceeds the distance covered by the Wright Brothers' epochal flight in 1903.

#### TWENTIETH ANNIVERSARY OF THE CONGRESSIONAL FELLOWSHIP PROGRAM

Mr. KENNEDY. Mr. President, this year marks the 20th anniversary of the congressional fellowship program of the American Political Science Association. I join with my colleagues in commending the association for sponsoring this program which brings talented and creative students of the Congress into Washington.

These political scientists, reporters, law professors, and Federal agency personnel not only are given the opportunity to study the legislative process from the inside, but they bring their own ideas and abilities to help affect that process. Although they only work in the office of a Senator or Congressman for several months, many have provided significant assistance in the development of legislation.

It is one of the few fellowship programs which consistently attracts individuals whose level of background and experience enables them to fit into the ongoing operations of an office. For those who remain on Capitol Hill, the program has served the Nation immeasurably in

acting as a conduit for the maintenance of talented Senate and House staff members. For those who return to universities, the news media and the Federal agencies, the program has served as an unequalled, postsecondary course in the actual legislative process. Its graduates are more knowledgeable not only of the institutional norms of that process, but also of the interplay of political interests that determines how and when those norms are applied.

In a democratic society, the importance of expanding the understanding of the public policymaking process is evident. The congressional fellowship program, by enabling individuals to acquire that understanding, fulfills a valuable public service in addition to the value that the fellowship program provides to the individuals participating in it.

I extend my warm congratulations to the APSA for its continued support of this program.

#### JOHN ROLLINS, LEGEND IN DELAWARE

Mr. ROTH. Mr. President, today's Wall Street Journal brought to the attention of the world business community the story of one of Delaware's most prominent citizens. This front page article on John Rollins, has spotlighted his dedication to hard work, his astuteness and perception of opportunities, which have brought him business success and national recognition.

Mr. President, I am pleased to bring to the attention of the Senate this modern Horatio Alger story that demonstrates our Nation continues to be a land of opportunity. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Sept. 5, 1973]  
MAKING IT—JOHN ROLLINS, FARM BOY, IS BECOMING A LEGEND AS HE AMASSES RICHES  
(By Thomas J. Bray)

GREENVILLE, DEL.—A local architect in this lush hunt country tells of receiving a telephone call one day from the wife of John W. Rollins Sr., a wealthy businessman, who, in this area of old du Pont money, is distinguished by the fact that his money, by comparison, is very, very new.

"Mrs. Rollins said she was interested in building a stable on her property," the architect says, "so I sent a surveyor over one afternoon to check things out. John came home from work, saw this guy wandering around and wanted to know what was going on. Not long afterwards, I got another call asking me to stop over for a drink."

When the architect arrived at the Rollins home, an imposing Norman-style structure on a 10-acre estate, he was ushered into the den. Mr. Rollins was there, he says, but Mrs. Rollins was nowhere to be seen.

"John said there had been a misunderstanding and that there wasn't going to be any stable built," the architect recalls. "I'll never forget the explanation: 'Look,' he said, 'I don't want any horses around here. I've spent all my life trying to get away from horse manure.'"

Mr. Rollins' comment may have been tongue in cheek, but it is nonetheless revealing. He had indeed spent a good deal of his life trying to put as much distance as possible between himself and his origins as a Georgia farm boy. And how far he has come

is perhaps best illustrated by the fact that local anecdotes, once almost exclusively featuring this or that du Pont, now are more often than not woven around the doings, sayings and general deportment of the man they call Big John.

#### SUMPTUOUS ESTATE

Of course, there are other, more substantial, reflections of the 57-year-old Mr. Rollins' rise. His sumptuous estate here, for example, boasts a helicopter pad on the back lawn, two grand pianos in the living room and expensive paintings on nearly every wall. And then there are the business statistics: Mr. Rollins, beginning with a \$10,000 bank loan in 1945, has created a \$100-million empire whose departments range from real estate to racetracks. His main corporate vehicle is Rollins International.

Indeed, Big John Rollins—he stands six-foot-three-inches tall and weighs nearly 250 pounds—is in almost every respect a textbook example of the rags-to-riches businessman. He and his older brother, Wayne, were born in the hill country area of northern Georgia, where their parents eked out an existence from growing corn and cotton and raising some poultry and livestock. Nobody went hungry, but it wasn't always easy to make ends meet, and it became even more difficult when John's father became an invalid. From that time, the two boys alternated working the farm with outside jobs, all the while attending the local school, which was five miles away.

The outside world intruded little on the Rollins' farm, but Mrs. Rollins, an indomitable woman who now is 87 years old, insisted that her sons broaden their horizons, after finishing high school. So, in 1935, at the age of 19, John went north, working in such cities as Cincinnati and Philadelphia. Wayne stayed closer to home, working in Chattanooga at a textile mill. And it was about this time that the boys made their first investment, buying an abandoned spa in northern Georgia and selling bottled mineral water; the venture, however, subsequently collapsed under the weight of wartime price controls.

But World War II proved to be a boom of sorts for the Rollins boys. The defense industry was crying for talent, and both young men took advantage of this need. Wayne was put in charge of a TNT plant in Chattanooga, and John became a planning supervisor at the Glenn L. Martin Co. aircraft factory in Baltimore. (Neither Rollins served in the armed forces, John had gotten married—the first of two marriages—and was also supporting his parents, and Wayne had suffered a back injury.)

#### OF HORATIO ALGER

Then, near the end of the war, came that combination of fortuitous circumstances that is the staple of Horatio Alger-type novels and, apparently, of the lives of most self-made millionaires. Irritated by his inability to find spare parts for his car, John Rollins realized his problem was by no means singular and that there was enormous consumer demand in the automotive field. With an eye to the future, he and a partner scraped together \$1,000 of their savings, supplemented this with the \$10,000 loan from a local bank and bought a Ford dealership in Lewes, Del., where Mr. Rollins' mother-in-law lived. The dealership had been burned out early in the war and hadn't been reestablished because most auto production was being used for the defense effort.

"I guess that was about the hardest decision I've ever had to make," Mr. Rollins recalls. "I had a wife and two kids and a regular paycheck—\$25 a week."

But the gamble paid off. With Mr. Rollins' partner, an older man named Theodore Bryan, running the back office, and Mr. Rol-

lins himself handling sales and debt collection, business boomed. In fact, the dealership, which was rated only 250th in Ford's 1945 allotment of cars to the mid-Atlantic region sold enough cars in two years to move up to 40th place; the \$10,000 loan was paid off; and, in 1949, Mr. Rollins bought out his partner. The Rollins ascent had begun in earnest.

By 1950, Big John Rollins owned six dealerships in Delaware, Maryland and Virginia and was grossing \$8 million to \$9 million a year. Styling himself as "Uncle John, the working man's friend," he became one of the car trade's earliest and heaviest users of radio advertising—in one year, he spent \$40,000 in Newport News, Va., to purchase spot commercials at \$1 apiece—and it was only a short step to his next major venture, buying radio stations.

Wayne Rollins, who had left his work in Chattanooga to run one of his brother's auto dealerships, took charge of the radio business. John, meanwhile, was branching out from auto sales to auto leasing. Again, the inspiration for the move came, at least in part, from firsthand experience.

"I had once applied for a sales job with a big company and been turned down because I didn't own a car," he says. "That made a big impression on me—I felt there ought to be some way for a company to economically provide cars for its salesmen. After all, you don't ask a secretary to bring her own typewriter to work."

His idea also made a big impression on customers, and by 1956 revenues from the various Rollins endeavors had reached about \$50 million. But it wasn't until the mid-1960s that Big John Rollins began to move onto the national business scene in a big way. (Wayne Rollins, by this time operating more or less independently of his brother, had in 1964 formed Rollins Inc., a diversified company involved in exterminating services, broadcasting and building maintenance; the only official connection today between the brothers is that they serve on each others' boards.)

By and large, John Rollins' road to business prominence was paved with a series of acquisitions—17 in all—that began in 1966 and ended in 1970. They included Matlack Inc., one of the biggest bulk commodity haulers in the trucking industry; Brandywine Raceway, a major harness track near Wilmington; and Gustav Hirsh Organization Inc., a big electrical contractor. Rollins International, the parent company, also prospered as a major truck-leasing concern and made a plunge into environmental services with a series of waste-treatment centers.

But John Rollins' prominence wasn't limited to the business world. First as a sideline activity, and then in earnest, he had begun to immerse himself in politics. And as seems invariable with his activities, he began his political involvement with a big splash: election in 1952 as Delaware's lieutenant governor. (A group of Republican powerbrokers, seeking a fresh face, had prevailed on him to run; he accepted with alacrity and was swept into office on the strength of the Eisenhower landslide.)

Delaware's lieutenant governorship was largely an ornamental post, but John Rollins, never one to accept a merely decorative role, managed to build enough of a following within the party to capture the Republican gubernatorial nomination in 1960. He lost, but only by 6,400 votes, and his stature in Republican circles continued to grow—helped in no small measure by his sizable financial contributions.

#### ACT OF LARGESSE

"In 1968, when I was Kent County chairman, John said he would match any ticket I sold to a \$100-a-plate dinner we were giving," recalls Herman Brown, currently the state's Republican chairman. "At the 200 mark, I got to feeling a little sorry for him and called

him up to tell him I'd release him from his pledge. He bought all 200 tickets."

Most close acquaintances attribute much of Mr. Rollins' interest in politics to a simple thirst for hobnobbing with persons in positions of power. As an example, they cite his obvious pride when President Nixon appeared at a 1971 reception on the Rollins estate. And Mr. Rollins himself has boasted that "we're one of the few private homes that have ever been visited by both the President and the Vice President." (Sources place his total contributions to Nixon campaigns over the years at well over \$100,000.)

But others are more cynical about Big John's political involvement. "If you look at his business, you'll see that there are very few aspects of it that aren't highly political," says an influential Delaware Republican. Others cite the fact that two Rollins employees were recently promoting legislation that would allow dog racing in Delaware but would limit such racing to harness tracks. (The bill was later withdrawn.) In any case, his politicking doesn't seem to have harmed his reputation around the state. And even on his home turf, surrounded by the generally staid du Ponts, he has overcome much initial resistance and has won social acceptance from many, although by no means all, of his neighbors. "Actually," says one young du Pont, "he's a refreshing change around here."

Certainly, Mr. Rollins' Georgia accent, his folksy manner and his earthy expressions are enough to set him apart. So, too, is his penchant for display, as, for example, when he rented the local country club a few years ago to celebrate his induction into the Knights of Malta, a European-based service organization. An acquaintance who attended the gala recalls: "Out comes Big John all dressed in knee breeches, buckled shoes, the works. They had a little ceremony where he knelt down and was knighted. I thought a lot of his friends were going to bust a gut."

#### JAMAICAN VENTURE

Whether Big John Rollins will continue to make even bigger splashes in the future remains to be seen. Much, of course, depends on the course of his various ventures and primarily his \$6 million investment (transacted in 1965) in a 6,500-acre site east of Montego Bay on the coast of Jamaica. Mr. Rollins eventually hopes to build a \$90 million development on the site complete with hotels, condominiums, golf courses and expensive homes; but thus far only a Holiday Inn has been completed and a few dozen home-sites sold.

John Rollins, however, says he continues to be sold on his Jamaican prospects. And he also doesn't seem unduly concerned by certain current U.S. problems, including the recent sale of several acquisitions and the fact that the company's new \$10 million office building on the outskirts of Wilmington has been virtually empty since its completion last September.

Nor do observers of the Rollins scene seem upset. "The outlook for Rollins International is brighter than at any time in the last five years," says one Wall Street analyst. And officials at Rollins say writeoffs of unprofitable operations should pave the way for faster growth. (They expect that revenues in the fiscal year ending Sept. 30 will be about \$170 million, up from \$144 million a year earlier; less specifically, they say that operating earnings will be up substantially from fiscal 1972's net of \$3.6 million, or 86 cents a share.)

As for Big John, he doesn't plan to rest easy. Aside from an occasional game of tennis, or roaming around his Jamaican properties, he has little time for anything but business. "I usually work from eight in the morning until seven or 7:30 at night," he says. "I used to start earlier, but you can't talk to anybody at that hour any more."



## MR. RUSSELL E. TRAIN

Mr. BROOKE. Mr. President, on July 26, 1973, President Nixon sent to the U.S. Senate the nomination of Russell E. Train to head the Environmental Protection Agency. I have known Mr. Train for many years and I am confident that EPA and the American people it serves so dutifully will be the beneficiaries of this wise, judicious appointment.

A conservationist of impeccable credentials, Mr. Train served with the highest distinction as Chairman of the Council on Environmental Quality. Since its inception in 1970, the Council has been an instrumental factor in safeguarding our fragile environment. The excellence of its work can, I think, be construed as a manifestation of the excellence of its Chairman.

In moving to the post of Administrator of EPA, Chairman Train will bring vast environmental knowledge and experience to one of Government's most important agencies. As we all know, EPA was created specifically to coordinate the Federal Government's environmental programs. This is an awesome task. Under the distinguished administration of William D. Ruckelshaus, EPA took bold initiatives in carrying out its great responsibilities. And though it is regrettable that a man of Mr. Ruckelshaus' talents is leaving this critical post, we can be thankful that his considerable talents will remain in the service of the American people. And we can be proud that a man of Mr. Train's outstanding capabilities has been nominated to take the reins.

I need not remind any Member of this body that these are critical times in our battle to curb the stifling air pollution and the sickening water pollution that affect much of this great land. As Administrator of EPA, Mr. Train would be a key leader in this battle. With his considerable knowledge and experience, he is—as the old saying goes—the right man at the right time.

In this regard, I would like to draw my colleagues' attention to an editorial in the New York Times, entitled "Good Appointments," and an editorial in the Washington Post, entitled "Mr. Train and EPA," both of which appeared August 7, 1973. I ask unanimous consent that they be printed in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the New York Times, Aug. 7, 1973]

## GOOD APPOINTMENTS

In the currently depressing climate of Washington it is particularly refreshing to note two first-class appointments to high Government posts. While Russell E. Train and William D. Ruckelshaus are both veterans of the Nixon Administration, they should bring it added strength in their new positions as Administrator of the Environmental Protection Agency and Deputy Attorney General, respectively.

In his old capacity as chairman of the Council on Environmental Quality, Mr. Train had been a Presidential adviser—an excellent adviser but one whose powers were limited to persuasion and counseling rather than action. His new post will give him the authority and responsibility to carry out

the will of both Congress and the President in such vital areas as the restoration of this country's air and water.

Mr. Ruckelshaus, who headed the E.P.A. until very recently, deserves great credit for launching that agency in style and using it with vigor and integrity in the opening battles on pollution. He made the E.P.A. a national byword and jolted big industry, especially the automakers, into recognizing that the old days of pollution for profit were over. There is good reason to hope that Mr. Train, as an independent administrator, will prove equally tough and, on the basis of his earlier experience as Under Secretary of the Interior, a tidier administrator as well. He will have to be both if, in executing the far-reaching Environment Protection Act, he is to get the most out of an agency already hindered by an excess of political appointees.

Fortunately, violators of the environment will not be freed from the watchful eye of Mr. Ruckelshaus. He will still be in a position to crack down on offenders against whom the E.P.A. brings action. But as the Justice Department's second-in-command, he will have a far wider jurisdiction than the physical environment. With Attorney General Richardson, he will have the responsibility of restoring the prestige of a department that has just been through its worst days since the unlamented regime of Harry M. Daugherty.

Still another encouraging appointment has been made in the President's nomination of James B. Cardwell, controller of the Department of Health, Education and Welfare, to be Social Security Commissioner. Fear that the Administration might seek to politicize the vast Federal Insurance program for the aged and disabled was stirred last January when it forced out Robert M. Ball, Mr. Cardwell's extraordinarily able predecessor. The new commissioner is more than a career budget officer, he has demonstrated an awareness that the millions of Social Security accounts represent people, not a computer file.

[From the Washington Post, Aug. 7, 1973]

## MR. TRAIN AND EPA

Sen. William Scott (R-Va.) is acting capriciously in holding up Senate consideration of the nomination of Russell E. Train to head the Environmental Protection Agency. Virginia's freshman senator says that he needs more time to review Mr. Train's record. But every other member of the Senate Public Works Committee was able to decide promptly last week that the nomination should be approved.

As Senator Scott should eventually conclude, Mr. Train's record is one of solid achievement. He has served ably as the president of the non-profit Conservation Foundation, as undersecretary of the Interior Department, and as chairman of the Council on Environmental Quality since its creation in 1970. At the council his operating range was somewhat limited by the role of the agency as a small, advisory body in the executive office of the President. Even so, Mr. Train has been effective, especially as the U.S. representative to the international negotiations which have produced important agreements to curb ocean pollution and protect endangered species.

The subject worth pondering is not Mr. Train's qualifications but the future of EPA. The palmy days are over for the environmental cause. Decisions are becoming harder and resistance mounts, as three events of last week show. On Monday, EPA announced that the legislated standard for nitrogen oxide emissions from vehicles is being reassessed because technology is lagging and the health impact of the pollutant may have been overstated. On Tuesday the agency stirred up several interest groups by proposing the first federal noise standards for interstate buses and trucks and releasing a controversial report on aviation noise.

Then on Thursday the House voted to exempt the trans-Alaska pipeline from the National Environmental Policy Act, suggesting a growing willingness in Congress to override environmental laws in a real or imagined pinch.

The pressures to trim, delay and circumvent environmental laws will only increase as the cost and impact of those laws become clearer. For instance, as noted in the latest newsletter of the Interstate Commission on the Potomac River Basin, the clean air and clean water laws, put together, are so far-reaching that they give EPA the potential authority to "spell out the framework of a national land use policy." The uproar if and as that authority is gradually applied could make the current fuss over private cars in cities appear minor.

EPA and the laws which it administers will be able to bear the strain only with firm, intelligent leadership. Mr. Train recognizes that commitment and zeal are not the only ingredients required. His remarks before the Public Works Committee indicate that he wants to make EPA's research as good as its intentions and realizes that the agency's entire regulatory program not only has to be even-handed and reasonable, but must also be recognized as such. If he goes to EPA, Mr. Train will have gained a post of genuine independence and authority. His challenge will be to exercise both with vigor.

## CIVIL RIGHTS MARCH OF 1963

Mr. JAVITS. Mr. President, during the August recess the Nation commemorated the 10th anniversary of the March on Washington for Jobs and Freedom. This massive and peaceful demonstration to petition for the redress of grievances marked a turning point in the Nation's history and was largely instrumental in mobilizing public and congressional support for the passage of the extraordinary civil rights legislation of the 1960's.

As a participant in the March, I well remember that day—August 28, 1963. It was a bright, sunny day and the fears and tensions which had preceded the march evaporated early as we realized that the demonstration would be peaceful, dignified, and joyous. No one who was there can ever forget the sight of 200,000 Americans—black and white—massed around the reflecting pool, nor the eloquence of the speakers on the steps of the Lincoln Memorial.

We have come a long way since 1963 and the statute books of this land are now, finally, in the main, colorblind. But the kind of true equality we pledged ourselves to attain that day is a goal we have not yet attained and must be constantly working toward, and that is a harder task for it requires, not just changing laws, but the practices and even the hearts of men and women, too.

No mention of the March on Washington would be complete without commemorating Dr. Martin Luther King's inspiring speech that day, and I ask unanimous consent that it be printed in the RECORD at this point together with an essay by Bayard Rustin, appearing in the current NAACP journal the Crisis, entitled "The Washington March—a 10-Year Perspective," and four articles from the New York Times examining "conditions and attitudes in black America 10 years after the March on Washington."

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE WASHINGTON MARCH—A 10-YEAR  
PERSPECTIVE

(By Bayard Rustin)

This August marks the tenth anniversary of the March on Washington for Jobs and Freedom, the most important nonviolent mass demonstration of American social struggle. Over 200,000 persons participated in the March; every significant civil rights leader supported its objectives; broad cross-sections of the labor, liberal and religious communities endorsed its demands. Although there have been larger and showier demonstrations, no other has touched the depths of the nation's moral impulse as did the March and no other, certainly, has influenced the course of social legislation and determined the shape of institutional reform to the degree that the March did.

Just five months after the March, the nation ratified the 23rd Amendment to the Constitution and thus outlawed the poll tax. In another five months the 1964 Civil Rights Act was adopted after the Senate, setting an historic precedent, invoked cloture for the first time on a civil rights measure. Within another year Congress passed and President Johnson signed the Voting Rights Act, with its strict provisions for Federal intervention whenever necessary to guarantee the franchise to southern blacks.

The importance of this legislation cannot be overstated. The social system of the South—a way of doing things built up and solidified over a century's time—was turned around in the course of a few intense years. The political power of southern conservatism—which had long wielded an undue influence in Congress—was broken, perhaps permanently. No longer could Dixiecrat mandarins exert veto power over social legislation as they had done in earlier eras. We should keep in mind that even so limited a measure as an anti-lynching law, which posed no threat to the basic social and economic fabric, was blocked year after year by the power of the southern senators.

To point out that this legislation has had a transforming effect on American society is to restate the apparent; what is less obvious, and most relevant to our current situation, is why the March, as the symbol of the civil rights movement's unity and as the expression of its program, contributed to the subsequent progress.

Seen across the span of a decade of turbulence, the March's significance appears not to lie so much in its size or nonviolent character, although the importance of these factors—particularly of the discipline of the demonstrators—should not be minimized, given the excesses of later demonstrations. The March is significant, ultimately, for what it reveals to us about the strengths and limitations of the civil rights movement. It can show us why the civil rights movement could succeed in its assault on the legal foundations of Jim Crow, but was unable to move as effectively beyond civil rights. The lessons to be learned from the March can thus suggest a program and strategy for the future.

The March was built around two basic objectives. These were, as we should remember, for "Jobs and Freedom." When he addressed the crowd assembled at the Lincoln Memorial, A. Philip Randolph—the architect and inspiration of the March on Washington—spoke eloquently of the intertwined goals of civil rights and economic equality:

"Let the nation and the world know the meaning of our numbers. We are not a pressure group, we are not an organization, we are not a mob. We are the advance guard of a massive moral revolution for jobs and freedom. . . . But this civil rights movement is not confined to the Negro, nor is it confined to civil rights, for our white allies know that they cannot be free while we are not, and we know we have no future in a society in which six million black and white people

are unemployed and millions live in poverty. . . . We want a free democratic society dedicated to the political, economic and social advancement of man along moral lines. . . . We know that real freedom will require many changes in the nation's political philosophies and institutions. . . . It falls to the Negro to reassert this priority of values, because our ancestors were transformed from human personalities into private property. It falls to us to demand full employment, and to put automation at the service of human needs, not at the service of profits. . . ."

But while there were two stated goals—one moral, the other basically economic—the objective conditions of 1963 dictated that the civil rights movement throw all its force behind the moral issue of the attainment of social and civil rights. Although what was to become the 1964 Civil Rights Act had already been introduced by President Kennedy, its enactment by Congress was at the time by no means assured. One of the signal accomplishments of the March was to remove from the public's mind the final vestiges of ambivalence about Negro demands, creating an unequivocal popular mandate for our goals.

Clearly, no single demonstration and no individual civil rights figure was responsible for this change in attitude. It took beatings, jailings and martyrdom to arouse public outrage over the oppression of southern blacks. The March simply provided a national public forum for our demands. Those who asked "What does the Negro want?" were answered by the March. But we made it clear that while we valued demonstrations and civil disobedience as tactics, we saw that ultimately our problems could only be resolved through regular political channels. Our program could only be established in Congress, not in the streets.

The institutional changes that resulted from the 1964 and 1965 civil rights legislation are real enough. The elimination of discrimination in employment and promotion policies, for instance, has meant that blacks are no longer restricted to the lowest paying jobs and to those jobs most vulnerable to the onslaught of automation. In fact, a remarkable transformation in the composition of the black working class took place between 1960 and 1970. Whereas, at the beginning of the decade the average black worker was a farmhand, an unskilled laborer or a domestic, by the decade's conclusion he had become a mechanic, a factory operative or, in an increasing number of instances, a skilled worker or a professional.

To examine black progress in the area of employment is to understand not simply the success of the civil rights movement, but its shortcomings as well. For while black people are getting better jobs they are not getting more jobs. Unemployment today is greater than it was in 1963 and, of course, affects most immediately the unskilled, the under-educated and the young.

In the area of civil rights legislation, again we see that far-reaching economic change does not necessarily accompany legislation dealing with moral issues. For, in fact, the destruction of the legal foundations of segregation did not substantially alter the economic structure. Following the enactment of the Voting Rights Act, for example, we witnessed what seemed to some a vital change in the South. Southern politicians adopted a new tone in their campaigns. Racial moderates and progressives, with the support of black people, increasingly defeated those who campaigned primarily on the race issue.

In a series of elections in 1970 and 1971, racial moderates swept the governorships in most of the Deep South states (a notable exception being Alabama). Early this year, Georgia's Governor Jimmy Carter called upon all agencies of the state government to cease race and sex discrimination in employment. The demand was made in a toughly-worded

memorandum to all heads of departments. The Governor has appointed 47 black persons to positions on permanent boards. Similarly, Governor John C. West of South Carolina warned heads of departments and agencies in that state to cooperate with the South Carolina Human Affairs Commission to end discrimination. The Commission is headed by George Hamilton, a negro appointee of Governor West. Failure to comply will result in referral of the charges to the Federal Equal Employment Opportunity Commission, the Governor warned.

Governor Edwards of Louisiana purged Jim Crow statutes from the lawbooks (a symbolic, but essentially hollow, gesture given the fact that Federal law had made these acts unenforceable). Mississippi's Governor Waller promised to appoint some blacks to state jobs. But as yet there has been little substance behind the rhetoric of progress in the South. Minimum wage levels are still inadequate; expenditures for schooling are well below those in other parts of the country; family assistance payments are unconscionably low; and right-to-work laws, an increasingly important barrier to equality now that blacks have become more numerous in the trade unions, remain unchallenged.

These observations force us, then, to return to the question of why our movement was successful only insofar as it could achieve civil rights legislation which, granted, was important even though it did not go far enough. This is an extremely complex question. It can be analyzed, I believe, in terms of two underlying problems. The first is the lack of sufficient unity in black demands. The second involves a failure of will among certain elements of liberalism.

The lack of black unity, let me suggest, is more apparent than real. Black people may be divided on certain issues—busing, for instance—but there does exist a broad consensus for programs that further integration and economic advancement. Black voting patterns have remained soundly and intelligently liberal; candidates who preach separatist doctrine or who offer nothing more substantial than being black themselves have been rejected in favor of bona fide liberal candidates. Public opinion polls show blacks as taking a far less apocalyptic view of American society than almost all other groups; black folks do not see America as "morally bankrupt," although they are profoundly disturbed by the perpetuation of discrimination and inequities, as well as by their own political powerlessness to resolve the situation.

On the other hand, the divisions we are experiencing are those widely publicized ones that have occurred among blacks who, sometimes legitimately, sometimes not, are perceived by the media as black leadership. Jesse Jackson has recently vowed to take the civil rights movement back "to the streets—where it belongs." Floyd McKissick, once regarded as a dangerous militant, now preaches the doctrines of Nixonian Republicanism. The black professional associations that have proliferated in recent years propose a variety of solutions to social wrongs, solutions that are alike only in originating out of race consciousness.

The fragmentation of black leadership is one of the most tragic developments since the March and has contributed in no little degree to our subsequent problems. In 1963, black leadership was committed to the strategy of mass protest coupled with political action, had little hesitation in endorsing the March's agenda, and accepted the necessity of building alliances with progressive forces in the larger society. This general agreement over basic goals no longer exists; some have dropped from the struggle, embraced marginal, non-economic issues, or advocated programs which, while they may touch on economic change, are too narrow to



reach the great mass of black working people. Only a few of the groups which provided the March's nucleus have retained an unambiguous commitment to integration and basic economic change, most notably the National Association for the Advancement of Colored People and the National Urban League.

It is not unusual to detect in these professional groups hints of conservatism. Like the Black Power groups, they attract those with such narrow visions of social policy that blackness, and blackness alone, determines political doctrine. To accept this concept is to signal a retreat from political action; it represents an effort to fill a psychological void—by motion of any kind—by reacting against what is perceived as the stagnation of politics. Building a sense of community in the ghetto is a praiseworthy venture, but as a strategic for social advancement it is far from adequate; it tries to establish the notion of community in a situation where widespread poverty, violent crime and massive unemployment abound, thus tacitly encouraging acceptance of that situation.

The contradictory and sometimes self-defeating principles that underlie separatist thinking have important ramifications for liberalism. For two decades black demands have occupied a special place at the forefront of the liberal agenda. Our goals have in fact shaped the broader program for social change. The domestic platform of the Great Society, for example, was built around those issues insistently raised by the civil rights movement.

Now, because our ideas are less than clear, we find liberalism in confusion, ignoring our real needs—that is to say, the issue of basic economic change, of redistributing the wealth, has gotten shunted aside in favor of other, less fundamental issues. That a number of black leaders could criticize both presidential candidates last year is significant. One might argue with them that the Democratic Party platform was the most liberal in political history; but what they were responding to was the lack of serious attention devoted to basic economic issues during the campaign. The brief mention accorded these issues in the platform seemed little more than a gesture, a superficial effort to appeal to the party's traditional working-class constituency.

I think it is also significant that neither candidate bothered to debate the full employment issue even though the Nixon Administration's first term saw substantial increases in unemployment. We should keep in mind that in 1963, A. Philip Randolph came before the nation to demand full employment. In 1972, however, George McGovern and Richard Nixon debated not full employment, but employment quotas and preferential treatment.

Even with the conclusion of the Vietnam War, the persistence of the divisions within liberalism is a profoundly disturbing situation. For while we have played a pivotal role in the formulation of the liberal program, we have never prevailed in periods of liberal disarray.

Some liberal intellectuals have now joined Daniel Patrick Moynihan in advocating a racial policy of "benign neglect." Those for whom the Vietnam War was the overriding concern simply dismissed racial issues as secondary. Thus in 1966, just three years after the March, some liberals refused to sign the Freedom Budget—a ten-year plan to eliminate poverty—because they insisted that social programs could and should be financed through the so-called "peace dividend" that we were assured would materialize with the war's end.

Those once-liberal intellectuals who now write of the impending "limits of social policy" justify their disaffection on the alleged failures of the Johnson Administration. While I think it is the obligation of liberals to criticize programs they believe to be wrong, it is quite another thing to propose that such programs be replaced by adherence to the status quo.

On the other hand, those with a leftward vision who dismiss the liberal-labor program as outmoded should consider the following. Between 1959 and 1969 the percentage of black families living below the Federal poverty level was reduced from 55 per cent to 32 per cent. This gain, unprecedented in the history of the black struggle, was achieved by traditional, New Deal liberal strategies, strategies that are today criticized as archaic. Between 1969 and 1972, however, the first years of the Nixon Administration, there was no comparable reduction of black poverty. In fact, the number of blacks living below the poverty line increased between 1969 and 1971 and from 7.2 million to 7.4 million.

The labor-liberal approach to social problems has been vindicated time and again over other narrow, sectarian, "all-black" strategies. In the coming period, therefore, we cannot be content to define economic programs in racial terms. To pursue purely "black" issues at a time when our needs increasingly converge with those of the larger working class is to perpetuate political isolation.

Thus, our agenda should consist of the basic demands of the March on Washington and the Freedom Budget. Full employment is probably the single most basic issue. But we should also work for programs to ensure that all Americans have adequate housing, decent medical care that they can afford, the opportunity to pursue higher education regardless of financial circumstances and a minimum wage sufficient to guarantee a life of dignity.

This is not a program whose time has passed, but rather a return to programs that have succeeded in the past and are, therefore, our only instruments for future success. Many of the much vaunted, but ultimately self-defeating or flawed, programs that have risen and extinguished like meteors are programs conceived in frustration. In contrast, the March on Washington was founded in hope and its program called for an expansion of opportunity for all people. It was a program which placed the civil rights movement in the forefront of the battle for social change. Ten years later, there has been no program superior to that proposed by the March.

DR. MARTIN LUTHER KING, JR., PRESIDENT, SOUTHERN CHRISTIAN LEADERSHIP CONFERENCE

I am happy to join with you today in what will go down in history as the greatest demonstration for freedom in the history of our nation.

Fiftyscore years ago, a great American, in whose symbolic shadow we stand today, signed the Emancipation Proclamation. This momentous decree came as the great beacon light of hope for millions of Negro slaves who had been seared in the flames of withering injustice. It came as the joyous daybreak to end the long night of their captivity.

But 100 years later the Negro still is not free. One hundred years later, the life of the Negro is still badly crippled by the manacles of segregation and the chains of discrimination. One hundred years later, the Negro lives on a lonely island of poverty in the midst of a vast ocean of material prosperity. One hundred years later, the Negro is still languishing in the corners of American society and finds himself an exile in his own

land. So we have come here today to dramatize the shameful condition.

In a sense we've come to our nation's capital to cash a check. When the architects of our republic wrote the magnificent words of the Constitution and the Declaration of Independence, they were signing a promissory note to which every American was to fall heir. This note was a promise that all men, yes, black men as well as white men, should be guaranteed the unalienable rights of life, liberty and the pursuit of happiness.

It is obvious today that America has defaulted on this promissory note insofar as her citizens of color are concerned. Instead of honoring this sacred obligation, America has given the Negro people a bad check, a check which has come back marked "Insufficient Funds." But we refuse to believe the bank of justice is bankrupt. We refuse to believe that there are insufficient funds in the great vaults of opportunity of this nation. So we have come to cash this check, a check that will give us, upon demand, the riches of freedom and the security of justice. We have also come to this hallowed spot to remind America of the fierce urgency of now.

This is no time to engage in the luxury of cooling off or to take the tranquilizing drug of gradualism. Now is the time to make real the promises of democracy. Now is the time to rise from the dark and desolate valley of segregation to the sunlit path of racial justice. Now is the time to lift our nation from the quicksands of racial injustice to the solid rock of brotherhood. Now is the time to make justice a reality for all of God's children.

It would be fatal for the nation to overlook the urgency of the moment. This sweltering summer of the Negro's legitimate discontent will not pass until there is an invigorating autumn of freedom and equality. Nineteen sixty-three is not an end but a beginning. Those who hoped that the Negro needed to blow off steam and will now be content will have a rude awakening if the nation returns to business as usual. There will be neither rest nor tranquility in America until the Negro is guaranteed his citizenship rights. The whirlwinds of revolt will continue to shake the foundations of our nation until the bright day of justice emerges.

But there is something I must say to my people who stand on the warm threshold which leads them to the palace of justice. In the process of gaining our rightful place we must not be guilty of wrongful deeds. Let us not seek to satisfy our thirst for freedom by drinking from the cup of bitterness and hatred. We must forever conduct our struggle on the high plane of dignity and discipline. We must not allow our creative protest to degenerate into physical violence. Again and again we must rise to the majestic heights of meeting physical force with soul force.

The marvelous new militancy which has engulfed the Negro community must not lead us to a distrust of all white people, for many of our white brothers, as evidenced by their presence here today, have come to realize that their destiny is tied up with our destiny. They have come to realize that their freedom is inextricably bound to our freedom. We cannot walk alone.

And as we walk we must make the pledge that we shall always march ahead. We cannot turn back. There are those who are asking the devotees of civil rights: "When will you be satisfied?" We can never be satisfied as long as the Negro is the victim of the unspeakable horrors of police brutality. We can never be satisfied as long as our bodies, heavy with the fatigue of travel, cannot gain lodging in the motels of the highways and the hotels of the cities. We cannot be satisfied as long as the Negro's basic mobility is from a

smaller ghetto to a larger one. We can never be satisfied as long as our children are stripped of their selfhood and robbed of their dignity by signs stating: "For Whites Only." We cannot be satisfied as long as the Negro in Mississippi cannot vote and the Negro in New York believes he has nothing for which to vote. No, no, we are not satisfied and we will not be satisfied until justice rolls down like waters and righteousness like a mighty stream.

I am not unmindful that some of you have come here out of great trials and tribulations, some of you have come fresh from narrow jail cells, some of you have come from areas where your quest for freedom left you battered by the storms of persecution and staggered by the winds of police brutality. You have been the veterans of creative suffering. Continue to work with the faith that unearned suffering is redemptive.

Go back to Mississippi, go back to Alabama, go back to South Carolina, go back to Georgia, go back to Louisiana, go back to the slums and ghettos of our northern cities, knowing that somehow this situation can and will be changed. Let us not wallow in the valley of despair.

I say to you today, my friends, even though we face the difficulties of today and tomorrow, I still have a dream. It is a dream deeply rooted in the American dream. I have a dream that one day this nation will rise up and live out the true meaning of its creed: "We hold these truths to be self-evident that all men are created equal."

I have a dream that one day on the red hills of Georgia the sons of former slaves and the sons of former slaveowners will be able to sit down together at the table of brotherhood.

I have a dream that one day the State of Mississippi, a state sweltering with the heat of injustice, sweltering with the heat of oppression, will be transformed into an oasis of freedom and justice. I have a dream that my four little children will one day live in a nation where they will not be judged by the color of their skin but by the content of their character.

I have a dream today.

I have a dream that one day in Alabama with its vicious racists, with its Governor having his lips dripping with the words of interposition and nullification—one day right there in Alabama, little black boys and black girls will be able to join hands with little white boys and white girls as sisters and brothers.

I have a dream today.

I have a dream that one day every valley shall be exalted, every hill and mountain shall be made low, the rough places will be made plain and the crooked places will be made straight, and the glory of the Lord shall be revealed, and all flesh shall see it together.

This is our hope. This is the faith that I go back to the South with. With this faith we will be able to hew out of the mountain of despair a stone of hope. With this faith we will be able to transform the jangling discords of our nation into a beautiful symphony of brotherhood. With this faith we will be able to work together, to pray together, to struggle together, to go to jail together, to stand up for freedom together, knowing that we will be free one day.

This will be the day when all of God's children will be able to sing with new meaning:

"My country 'tis of thee,  
Sweet land of liberty,  
Of thee I sing:  
Land where my fathers died,  
Land of the pilgrims' pride,  
From every mountain-side  
Let Freedom ring."

And if America is to be a great nation, this must become true. So, let freedom ring from the prodigious hilltops of New Hampshire. Let freedom ring from the mighty mountains of New York. Let freedom ring from the heightening Alleghenies of Pennsylvania. Let freedom ring from the snow-capped Rockies of Colorado. Let freedom ring from the curvaceous slopes of California. But not only that, let freedom ring from Stone Mountain of Georgia.

Let freedom ring from Lookout Mountain of Tennessee.

Let freedom ring from every hill and molehill of Mississippi. From every mountainside, let freedom ring. And when we allow freedom to ring, when we let it ring from every village, from every hamlet, from every state and every city, we will be able to speed up that day when all of God's children, black men and white men, Jews and Gentiles, Protestants and Catholics, will be able to join hands and sing in the words of the old Negro spiritual: "Free at last! free at last! thank God almighty, we are free at last!"

[From the New York Times, Aug. 30, 1973]

#### THE 1963 MARCH IN RETROSPECT: MANY STRATA OF MEANING

Ernest Holsendolph: "A decade after the great march on Washington of Aug. 28, 1963, many of the nation's thinkers remain divided about what really took place that day.

"Was it the opening of a new era, a time of unsurpassed coalition politics and mass mobilization that led to the passage of significant new legislation? Or was it the culmination of a half century of civil rights activity, a kind of celebration of success that later proved premature?

"As the fifth and last part of a series on attitudes and conditions among black people 10 years after the march, several black Americans were invited to discuss what it meant to them and what developments since then indicate about the future. They are:

"Patricia Roberts Harris, a lawyer who was once dean of the Howard University Law School and a teacher of lawyers who put forth much civil rights litigation. She has also been Ambassador to Luxembourg, and is now on the boards of directors of several corporations and a partner in the Washington law firm of Fried Frank Harris Shriver.

"Charles Hamilton, professor of political science at Columbia University and coauthor with Stokely Carmichael of 'Black Power.'

"Kenneth Clark, a psychologist whose work was a central part of the legal briefs in the 1954 Supreme Court decision outlawing segregated schools, and a member of the New York Board of Regents and teacher in the City University system.

"Roger Newell, a socialist who graduated last June from Columbia University and who has been an activist since his high school days in Washington.

"Fred D. Gray, a Montgomery, Ala., lawyer who had as a client the Rev. Dr. Martin Luther King Jr. during the bus boycott of 1956. He is the first black elected member of the Alabama Legislature since Reconstruction.

"George Forbes, president of the Cleveland City Council.

"Russell Goings, president of First Harlem Securities, a black-owned company dealing in the sale of securities. He believes black people can gain greater influence over their future by increasing their stake in the economy."

Q. Was the march on Washington the start of something, or perhaps, the end of something?

HARRIS. In hindsight, I believe that the 1963 march was the culmination, perhaps even the end, of the civil rights movement as

it had developed early in this century. It was, in my judgment, the effective end of the leadership that had developed in the 'thirties, 'forties and 'fifties. It was the last time that, in a political way, the old leadership was able to call upon both the white and black community, upon persons without regard to political and ideological position, to come together without disagreement on a generic cause called civil rights.

I think it was also the end of effective white input into the theory of the civil rights movement. Up until that time there had been an assumption that blacks and whites together would decide what the theory, what the approach, of the civil rights movement would be.

CLARK. I agree. But I'd phrase it slightly differently. I think of the march of '63 as the end of innocence, the end of a period when we believed that the rightness of the cause would be the chief weapon for attaining the ends of decency. And if you look at the speeches of that march, they are dominated by a fascinating optimism. There was practically no cynicism. It was a gala festival of hope, with a real belief that the acceleration of the civil rights movement that came with the '54 decision was going to culminate in success.

But not long afterward there was the church bombing in Birmingham, killing four black children, and everything that has happened since then has shown more racism. It now seems that the sickness is deep and cuts across ideological lines.

HAMILTON. When I look back at the march, I see it clearly as the beginning of the spread of the movement beyond the South. Civil rights mass activism became, if I may use the term, "nationalized" rather than "localized." You began to get people marching in their home communities, chaining themselves to the barricades and so forth. And I wonder if as a synonym for innocence you might use "morality?"

CLARK. Yes, I guess so. We could approach civil rights from a moral perspective when we kept seeing it as a Southern problem. The morality left the issue when it came North.

GRAY. I think that the march on Washington was the culmination of several preceding events. I don't believe there could have been a march on Washington in '63 with the magnitude that it had unless there had been a bus boycott in Montgomery in '55 or '56. While that was a local situation, it proved to black people not only in Alabama but across the nation, that we could stick together if we had a cause that was great enough, that we could consolidate our resources and do whatever we had to do. I think as a result of that you then move into all of your other mass-type demonstrations.

FORBES. I think that the '63 march was itself perhaps the genesis of a new approach to solving civil rights problems—partly that—and I like the term morality. The event itself was basically a moral thing. Up until then black folks in the North felt that the only ones who had any problems were those in the South. But with the bringing together of all those masses of people in Washington, the movement took on a new approach that lasted for some five years. The idea came across that if we could get together and march, we could bring pressure, as was done in Washington, and get some changes.

Q. Before we get away from it, what about the effect of the Supreme Court's school desegregation decision in 1954? Wasn't that a turning point? After that didn't black people in the United States begin to think of themselves differently and things begin to move?

CLARK. As a psychologist, I think that what



the Brown decision did was to say in simple, direct terms: "Look, this is wrong. This is violating human beings, this is doing something to human beings." And Negroes—blacks, excuse me—understood it, average people understood it, and they started saying: "My God, I knew it, my brothers knew it, but we didn't think that white people knew it and here is a prestigious white institution that says what we had believed all along." So there they were, and they started moving from that point on, you see, because it couldn't be taken back—those words could not be taken back.

HARRIS. Within the black community, there was serious debate from a tactical point of view about whether this society was prepared to give way on the notion of separate-but-equal and move to a legal doctrine that said race was not a valid basis for classification. And therefore, the Brown decision became a vindication of those who appeared to be very daring in the context of the late 'forties and early 'fifties. I think it is the real watershed of race relations in the United States.

GRAY. I don't mean to belabor the point—and as a lawyer I could not disagree with the importance of the '54 decision; all of our legal principles, as has been indicated, begin at that point—but I do think that there were a lot of black people in the Montgomery boycott who didn't know anything about it. Our school system a year later, and even 10 years later, was just as segregated as before. I don't think you could truly say that that decision caused the Montgomery bus boycott to start.

NEWELL. I think Brother Gray made a very important point. I didn't participate in the early activities of the decade, but from my analysis it seems very clear that it was not things like the Brown decision or anything that came down from Congress or the Supreme Court that really motivated people to come out into the streets. I think the real reason was that they felt their actions would have a hand in changing their material conditions.

This is not to say that a number of young blacks did not gain entrance into Ivy League institutions and prep schools and things like that. But this was not the real crux of the issue. The primary thing was not whether more blacks got positions in white corporations or more blacks were on TV or more blacks were allowed into prestigious white schools. It was a question of solving day-to-day problems which the movement did not address itself to on an ongoing basis.

The conditions, the day-to-day living conditions of the majority of black people have not been radically affected by these court decisions. If we do an analysis, we see that the civil rights movement is basically directed toward the up-and-coming black middle class. It was designed to make things a little easier for them. It was designed to create a larger and more stable buffer zone between white America and the volatile masses that took to the streets, that began to demand improvements.

CLARK. That kind of thinking, which I'll admit is one of the developments since '63, is from my perspective a very significant diversionary development. It deflects energy and time and thought from the real complexity of the issue.

HAMILTON. I think Mr. Newell said that we must look at patterns and historical analysis. If we do that, I think it might be possible to suggest that the black struggle in this country might well be on course. Most struggles start out elitist. And I don't use that term in a pejorative sense. Whether it's India or Africa or Cuba or Russia, most struggles start out with an elitist tinge. Their benefits go to specific individuals.

Now it's easy for a society historically to accommodate to that kind of struggle for

obvious reasons. But then, slowly, the masses become politicized and society finds it much more difficult to accommodate. It is precisely at that point where I suspect we are today in this country. And that is what leads us now to begin to question some of the fundamental bases of this society.

Q. Perhaps we could go further into the dynamics of the 'sixties. What were the major forces that shaped black people's lives in the last few years?

CLARK. As I see it, the center of gravity for the civil rights movement shifted almost abruptly from Southern to Northern urban. In the South, the purposes of the civil rights movement were pretty clear and specific and direct. There were segregated schools, segregated transportation, segregated waiting rooms, terror—things for which there were apparently rather direct, specific remedies.

Now when that was changed, we all looked at it and said, "My God, progress has been made." And we celebrated the progress. But the blacks in the Northern cities saw his kids were just as retarded in reading as they ever were, his home was just as deteriorated as it ever was. He was in the same fix he had been in before this great progress had ever occurred, you see. So he started getting mad.

And his white allies in the North—who could deal with their guilt and racial ambivalence by contributing to the N.A.A.C.P. and the Urban League—found the restless natives next door. And they weren't prepared for this, and so they reacted by saying: "These ungrateful so-and-so's. I contributed to the N.A.A.C.P. and I contributed to the Urban League. I'm a white liberal. I'm without prejudice. What do they want from me?" Their response was backlash. You got this damned cycle of white backlash, white ambivalence, reacting to Northern urban black frustration. And this, then, generated what I call the era of realism.

HARRIS. The 'sixties saw the movement of whites from the center city, the center cities becoming black and the urban problem, the black problem, the poverty problem all converging. These were problems that did not respond to a march on city hall, because they go to the question of increasing the housing supply, increasing the ability of people to command that housing supply, improving the education in cities. Educators did not want to teach people who had been so crippled by the Southern systems—and by the Northern systems—that something radically new had to be done. And because these problems called for solutions that were radical, they were not solved. We don't know yet whether we can educate in one generation people so terribly crippled.

Slavery and the consequences of slavery after the Civil War provided a different kind of life experience for almost every black person in this country. They crippled black individuals, and consequently the black mass, in a way that we didn't begin to understand until we removed the legal restrictions. We had no idea—not really, deep down—how terribly distorted, in American terms, the black life experience was and how hard it was going to be to end the relationship between race and poverty.

GOINGS. It seems to me we're really talking about economics and political power, about a redistribution of money and power.

HARRIS. I think the question is whether you think the present economic and political system can ever deal with the problem of mass poverty. That is an ideological problem. What I'm concerned about is that we identify the problem as ideological, as a problem of determining where we stand with respect to the political and economic system. If I became convinced that there is no way that this system could provide a decent life for black people—and poor people, whether

they're black or not—I might end up where Mr. Newell is.

NEWELL. What convinces you otherwise?

HARRIS. I keep an open mind about it.

NEWELL. I think one of the most important things we have to address ourselves to is the question of ideology. From my analysis, from my very limited involvement in the educational process in the urban area in Washington, it's clear to me that it's not just a question of the struggle for quality education. If black people just began to receive the same type of education that white students received, we wouldn't seriously deal with the problems we face as people. Just to receive rudimentary skills in reading and writing without any ideological base is not enough for any person to survive in this society.

CLARK. How can a kid analyze the system if he doesn't know how to read?

NEWELL. No, I'm talking about a terminal goal. For example, take a doctor. He learns certain skills, but also ingrained in his training is an ideological position that says, "You have been to medical school, and you've done your internship and the rest of it, so it's all right for you to charge outrageous prices because of the time and effort you put in gaining your medical education." It's not a question of people learning how to read and write in the abstract.

Q. Aren't you saying that a meaningful education teaches not only reading and writing but also a set of values—and a certain political orientation—that you think black people need as distinct from others?

NEWELL. What I'm saying is that I think the system does that now, but in a negative way for black people. In the struggle against that—as people have done all around the world—it's clear that you have to take sides on the way the system is constructed.

Q. Then any attempt to work within the system would be tokenism, would fail because it would never come to grips with the system as a whole?

GRAY. Tokenism is a sensitive word around here. And I think that as black leaders we can't let the fact that one or two or three blacks are placed in top corporate or governmental positions be an end in itself. But I do think that blacks in these positions can help change to some degree that attitudes and the positions that corporate structures have had toward blacks over the years. We have to use these positions to try to correct the evils that are in them and try to make the society what we would like it to be.

Q. But how much can one man do to correct the evils in a massive corporation much less in society at large?

GRAY. It's going to be almost impossible. For one thing one or two or even a dozen people won't be able to do much in a major corporation because they don't own stock. And the guy who owns the stock isn't going to give it to them.

GOINGS. Well, then it comes back to Roger's point—which in the main I disagree with—the question of who is going to impose the value system. It's not tokenism. It's what you do with the positions that you have and how many people you can encourage—black and white—to exercise authority, judgment, willingness to accept opportunity.

There are young blacks coming out of aggressive schools with advanced degrees in business administration who want to go into accounting—not management. They don't want to go into the area from which they can begin to acquire power through exercising good judgment and performance. They move into other areas—the lesser areas—where they get a disproportionate amount of money at the beginning and end up in a box. It's a matter of self-deception.

HARRIS. I couldn't agree more about youngsters taking safe jobs. There are practically no blacks today in a position to move into the chief executive spot of any major corporation. I think that if there were black people today who were prepared to make an all-or-nothing fight for those jobs, they would find that there has never been a better time for somebody to move to the top. I want to see black people every place—at the top, in the middle—so that society can't function without us.

I think the word "tokenism" ought to be eliminated from our language. It's not that I'm sensitive about it, at least not in this context, but I think both blacks and whites tend to denigrate experiences that would have been considered very important 10 years ago, and to make perception derived from those experiences appear not to be valid.

CLARK. There is an insidious form of racism that has surfaced in the last 10 years, and particularly in the last five years. For the first time a group—in this case a black group—is required to apologize for all of the things which other groups have been praised for.

For example, a black group is now being asked—not by whites, primarily—to apologize for personal success. I am supposed to apologize for the fact that for the last 25 years I have lived in Hastings rather than the center of Harlem. My own son, you know, says to me after graduating from Kent and Columbia, "Oh, you black bourgeois!" I said, "Yeah, and why didn't you say that while I was paying your tuition?"

I am supposed to apologize because I have an income which is above that of the average white. I'm not going to apologize for that.

One reason I admired Adam Clayton Powell so much—even as I fought him—was that he integrated one of the most difficult areas of American life to integrate—political corruption.

And I don't know why blacks are being asked to give examples of virtue beyond those of any other ethnic group. To me this is an insidious form of racism. No other successful individual in any other ethnic group is required to apologize. And to the extent that blacks themselves not only buy it but attempt to sell it under the guise of militance, I say to hell with them. All they're doing is the white man's job.

*Q. Based on what we've been discussing so far, what goals do you see for black people in the United States? What lies in the future?*

GRAY. I think our problems today are basically the same problems we had 10 or 15 years ago. The problem is not with black people. We still have a question of employment, of housing, of economics, of education, of political participation. And these problems were created by whites.

To deal with them, I think more blacks are going to have to get involved in the political process, beginning on the local level, through redistricting and reapportionment. If you end up getting your counties, your cities and your states reapportioned so they can elect representatives from communities, then I think you will begin to have a more representative form of government that will address itself to some of those evils.

HAMILTON. I suspect that we are experiencing now what I think is a growing manhood. The critical question is going to be the extent to which society—that is to say, primarily the economic system—can equitably accommodate the entry of mass new groupings. My judgment is it cannot. But that's a judgment that has to be tested.

It's clear to me that precisely because we're now moving to challenge questions that go beyond the traditionally understood civil

rights agenda, we may well find ourselves looking at what I prefer to call "deracialized" solutions with racial consequences.

HARRIS. I want to enter a slight dissent. I think that there is an element that has come out of the late 'sixties that nobody's thrown on the table. And that is a quality of paranoia in the white lower middle class about certain kinds of preferential treatment that they perceived being accorded to blacks. The result has been the hardening of the line on new programs that appear most to benefit blacks, which led to the Nixon election.

I think I agree totally about the deracialization of projects, if included in this is a willingness to form coalitions with nonblack and nonminority groups and to be part of a spearhead for identifying the communality of interest that all poor, lower-middle-class and lower-class persons have.

FORBES. I think that the rhetoric of black power is over, never, never to return. And I think what you're going to find is rather than having progress made from the Federal level down, as it was done in the 'sixties, it will probably come from the local level up, which will lead to a dispersal of leadership.

CLARK. I'll start by pleading guilty to a certain rigidity. I am, in terms of goals in the civil rights movement. In 1973, I plead guilty that I see precisely the same goals I saw when I was an undergraduate in 1933, when I was a graduate student in the 'forties and when I entered the struggle in the early 'fifties—namely, freedom, the right of individual blacks to the same choices that other American citizens have.

Now, it seems as if progress toward this goal is different today. The methods and the techniques have changed. The charismatic leader has served his function. He has brought us to this point where he is no longer, to use the new term, "relevant."

It may be that what we are struggling toward is something which we have not been adequately trained for, namely a kind of technical—pardon the word, young man—intellectual in whom a variety of complex skills will have to be brought together to think through strategies and to think through tactics of implementing them.

It may be that the civil rights movement has, whether it likes it or not, to move toward a think-tank model of effecting the complicated kinds of social change which we clearly are confronted with.

And this is threatening, you know. It's easier to retreat into rhetoric and costumes and clichés than to develop the model that is appropriate to the present difficulty.

NEWELL. It seems to me one of the things that has come about has been the development of a group of blacks who have decided not to engage in the struggle for the trappings of American society. This is because these trappings are based on the pain, sweat and agony of a majority of people of the world.

I think there is going to be a movement in this country to begin to organize the majority of black people, who are workers, to engage in struggle in various forms against American capitalism and against its suppressing of the natural right of people around the world to work for their own liberation.

GONCS. The civil rights movement provided excellent opportunities for greater mobility within our society today for people of color.

What we do with those opportunities is important. But what I hope is we don't get in that bag of just talking about the total masses and looking for total cures for total masses. It just doesn't happen that way.

Blacks have not really addressed themselves, I don't think, to the question of how to gain economic power. The function of the mechanism at the foot of Wall Street is

colorless. It is absolutely colorless. There are ways to control companies—white companies—without their even knowing it.

Blacks have to be involved in money, men, material, the factors of production—have to begin to control that. We can say that we need housing. But if we haven't got a tax base, we're not going to get it. The fact is we've got to marshal our assets. We're not going to support a true political base without bread.

#### THE DREAM 1973: BLACKS MOVE PAINFULLY TOWARD FULL EQUALITY (By Jon Nordheimer)

WASHINGTON, August 25.—Ten years after 200,000 white and black Americans marched to this capital to pledge a moral commitment to racial equality, the nation has moved toward that goal in historic trek that has been far more painful and arduous than most of the short-sleeved masses who were there at the beginning ever envisioned.

It was a sunsplashed afternoon on Aug. 28, 1963, when the Rev. Dr. Martin Luther King Jr., in a voice trained in the pulpit and conditioned by his nonviolent struggle with the custodians of Southern segregation laws, stood on the steps of the Lincoln Memorial and outlined his dream of an integrated society.

The multitude gathered beneath Lincoln's cold gaze, locked arms and sang a monumental "We Shall Overcome." They listened as Mahalia Jackson, the black gospel singer, elevated the final word of the "Star Spangled Banner"—"free"—into a soaring statement of devotion. And then, more like church picnickers than militant demonstrators, they dispersed most of them never to return.

Ten long, eventful years have passed since that moment, and the euphoria of brotherhood that energized the crowd's hopes and convictions did not last long. For one group of blacks it was shattered on the way home that very afternoon when white youths outside Baltimore stoned their bus, tearing the banners of brotherhood that streamed from its sides.

#### DEATH BY BOMB AND BULLET

For many others the dream died less than one month later when a bomb, detonating in the basement of a black church in Birmingham, Ala., killed four little girls in starched white dresses. And for still others it died with Dr. King on the spring afternoon in Memphis five years later when the civil rights leader was felled by an assassin's bullet.

But a study of black America conducted this summer by The New York Times suggests that despite the agony of the intervening years, the decade since the march on Washington has produced tangible results that in many respects have exceeded specific goals set by the men and women who organized the mass demonstration.

Against the backdrop of danger, uncertainty and unmet expectations, American society has begun a transformation of social conditions for its restless minority of 25 million black people, a national upheaval that has left black society split between those whose fortunes rose during the decade and those whose lives were relatively untouched.

The direct beneficiaries, by nature or luck, learned how to operate in a system that until the nineteen-sixties had been largely insensitive to their needs. The war on poverty, commissioned as a result of the agitation of the early 'sixties, nourished a generation of talented blacks in managerial skills that until then had been the prerogatives of whites. In a way, a new sense of self-esteem was the most prized gift of the decade.



For the others, particularly in the Northern ghettos, participation in the system is still largely relegated to welfare rolls, food stamp lines, and a social worker's compendium of domestic strife. Their world is one of unrelieved poverty, frustration and economic dependence, and among them there is hostility and a desire for vengeance against the social forces that encircle their lives.

The target of this animosity is perceived as a white society that has not honored the promises of the 'sixties. In a parallel development, there is growing resentment directed at members of the expanding black middle class who appear to be ghetto dweller to be too concerned with individual survival to take risks for a resolution of the unfinished black struggle.

#### EROSION OF LEADERSHIP

A corresponding erosion of leadership has been apparent for several years. The deaths of Dr. King, President John F. Kennedy and Senator Robert F. Kennedy removed highly charismatic spokesmen for the black cause in the 'sixties. There has also been a fragmentation of the black leadership—mostly confined today to political districts or individual organizations—that works against black unity on a national scale.

Furthermore, under the influence of the Nixon Administration, white Americans' tolerance of the experimental social action of the 'sixties has apparently given way to a laissez faire attitude that is, to many black Americans, a kind of spiritual disenfranchisement.

The result of all this is complex and filled with contradiction. On one hand there are those blacks who have exploited the new opportunities and have found success and hope. On the other are great numbers of blacks who have been left behind in anguish and sullenness, acting in disjointed ways to vent their frustration or simply "coping" until relief in some new form arrives.

Working from these contradictions it is possible to draw conflicting scenarios for the future. One set of blacks exhibits increasing confidence, self-reliance and an identity no longer dependent on the white model. The other harbors anger, distrust, impatience and a conviction that the system cheats them. Worsening economic conditions could roll back many of the first group's gains. Conversely, a healthy economy could undercut the second group's pessimism.

Racial attitudes—especially in Northern cities where discrimination has had a silent but corrosive effect ever since the first freed slaves sought an alternative to Southern segregation—have possibly worsened since the civil rights struggle sent millions more rural blacks chasing northward after the illusion of economic and social freedom.

Measured against Dr. King's vision of the day when brotherly love would rid this society of its obsession with race and liberate the antagonists, the decade may have in reality forced a retreat.

#### KENNEDY SPEECH RECALLED

But there is another measure of the accomplishments of those 10 years, contained in a speech made to the nation by President Kennedy a few months before the march on Washington. In terms more pragmatic than Dr. King's, the late President listed the disparities that existed between white and black America:

"The Negro baby born in America today, regardless of the section of the state in which he is born, has about one-half as much chance of completing high school as a white baby born in the same place on the same day; one-third as much chance of completing college; one-third as much chance of becoming a professional man . . ."

Today the plight of the black American has improved considerably in areas that submit to statistical analysis. For example, the black child cited by Mr. Kennedy 10 years ago is now nearing parity in the opportunity to complete high school. On the college level, while the gap between the races remains wide, the number of black college graduates this spring is twice what it was 10 years ago, with large numbers of blacks on campuses where they had never been welcomed before.

There has been a corresponding black admission into professional, technical and other white collar careers—indeed, a doubling of black participation in these fields—while the white share, though more sizable, held steady over the decade.

"I don't pay any attention to those people who say the Negro hasn't made any progress since the march on Washington," said Roy Wilkins, executive director of the 425,000-member National Association for the Advancement of Colored People, the only one of the major civil rights organizations that participated in the Washington demonstration to survive the decade with its viability and leadership intact.

"I can stand at the entrance to almost any office building in Manhattan today and watch the office workers come out at 5 o'clock and it's all salt and pepper," he said. "Ten years ago they'd all be white."

Conversely, the problem areas that have resisted change are as easily detected. Most of those black office workers cited by Mr. Wilkins as illustrations of black progress will return home to black neighborhoods where racial isolation is as pronounced today as it ever was, perhaps even more rigid as a by-product of the strife of the 'sixties.

In addition, while blacks' earnings as a whole improved, so did whites', and many blacks entering the middle class for the first time had the feeling that the effort to reach economic parity with whites was about as attainable as the convergence of parallel lines.

The 'sixties also saw an acceleration of white flight into the suburbs, a trend since the end of World War II, but for the first time the influx of nonwhite minority groups into the large metropolitan areas of the North appeared to hasten the exodus.

Center cities, despite periodic reclamation projects and pockets of downtown revival, fell at an increasing pace to decay and neglect. Some cities with serious problems—Newark, Cleveland, Gary, Ind., for example—elected black Mayors, but crime, drugs and poverty persisted.

Indeed, economic and social disillusionment came early to blacks in Northern ghettos as they began to realize that most of the civil rights victories of the 'sixties benefitted only Southern blacks. "Ten years ago I was standing on a corner, now my little cousin's standing there," says Rufus Cantrell, a black man who says he harbors few dreams of brotherhood. "Look at our neighborhoods filled with cops we don't like and dope we don't need. That's what civil rights brought us—cops and dope."

While hardening of attitudes, heightened tensions and the spread of violent crimes and drugs were galvanizing Northern cities, the monolithic wall of Southern segregation was being reduced to the sharp stones of individual prejudice.

#### STRUGGLE IN THE SOUTH

The South, which had been the main target of mass civil rights activity and litigation during the decade, struggled vainly and at times cruelly to preserve a social order whose doom had been pronounced in the historic 1954 Supreme Court ruling that held segregated schools unconstitutional.

From that decision flowed a body of law that transformed the South against the will of the white majority. But the Southern whites who feared change—and violently resisted it at times—eventually came to accept change peacefully, and the region lost most of its harshness if not all of its anger.

In 17 Southern and border states where school segregation was once rigidly enforced, for example, nearly half (44 per cent) of the region's 3,676,000 black pupils now attend majority white schools. In Northern and Western states less than 30 per cent of black children are in majority-white schools.

Nationally, the period produced four striking developments that will surely influence the course of black affairs in the next decade.

#### BLACK AWARENESS

In striving toward greater racial confidence and identity in a dominant white society, black values and cultural contributions established a base for black pride, which began with separatist overtones and evolved into a major cultural component of American society.

Integration no longer was viewed by most blacks as a process of assimilation into a white world. Instead, there was recognition that black values and strengths would take a rightful place next to white ones after all the legal and psychological barriers had been removed.

"The opposite of segregation is not integration," remarked Jesse Jackson, a former lieutenant of Dr. King and now an economic and social force in Chicago. "Martin [Dr. King] didn't dream about a completely integrated world. He knew this is a pluralistic society and that ethnics tend to keep an identity. It's not a contradiction."

#### EDUCATION

The gains made in education were enormous and continue to grow. Despite the rancor that accompanied many of the changes and the bleak failures in school districts where the white parents withdrew their children from the system, the institution of segregated schools in the South collapsed.

The next phase, not yet conclusively settled, involved the question of busing pupils to desegregate city school systems in the North as well as the South, and precipitated a national quarrel.

Higher education offered fewer tensions, although some campuses became the staging grounds for black militancy and separatist rhetoric. But expanded scholarship programs and recruiting for the first time equipped large numbers of blacks for the demands of a marketplace that was slowly opening to them.

"Even in the worst Northern ghettos, where the progress of the past 10 years was least felt, young men and women are working at menial jobs during the day so they can attend college at night," observed Representative Andrew Young, another former aide of Dr. King who last year became the first black Congressman from the Deep South. "Ten years ago these blacks couldn't get a college education."

#### POLITICS

"Anyone looking for the civil rights movement in the streets is fooling himself," says Maynard Jackson, the black Vice Mayor of Atlanta, who rates a good chance of becoming that Southern capital's first black Mayor this year. "Politics is the civil rights movement of the seventies. Politics is the last nonviolent hurrah."

At the time of the march on Washington, there were only a few black elected officials in the South. Now there are more than 100 black Mayors and 2,600 other black elected officials.

Perhaps the healthiest signs that black Americans have faith in the political system occurred in two California contests this summer. Thomas Bradley, a black, was elected Mayor of Los Angeles; Bobby Seale, although defeated in his attempt to become Mayor of Oakland, signaled that the Black Panthers, who had preached a confusing bag of Marxist revolution during the turbulent sixties, had not abandoned the democratic process in the co-existing seventies.

#### UPWARD MOBILITY

The contention of the demographers Richard Scammon and Ben Wattenberg that a majority of blacks (51 percent) had entered the middle class touched off a furious debate that threatened to obscure some very real aggregate economic gains made in the last decade.

Critics of the report assert that its authors used unrealistic or fallacious standards to define middle class incomes, and were guilty of using other spurious data.

However, there is little argument that at least 30 per cent of black families enjoy middle class incomes. Ten years ago, only one of 10 black families could properly meet that definition.

The thread that runs through these four areas of achievement is this: The decade produced the most extensive gains for the most favored segments of black America—the middle class and working class blacks.

Blacks who entered the decade with educational and marketable skills were in a better position generally to exploit the newly created opportunities of what has been called the Second Reconstruction. Those mired in rural poverty and the urban welfare system derived peripheral benefits of food stamps, improved health care and larger dependency payments, but on the whole remained poor, unskilled and disaffected.

#### NEW HAVES AND HAVE-NOTS

These deepening divisions created a new generation of haves and have-nots in black America and cracked the black unity that reached its zenith in the march on Washington. If middle class blacks complained about the widening gap with whites, lower income blacks bitterly pointed to the widening gap between them and the black middle class.

Black unity, particularly in the South, was possible during the 'sixties because the legal barriers heaped indignities on all members of the race alike; no black man could feel free as long as they remained. This was the unity that gave white America the awareness, consummated by the march, that American blacks were on the move to extract themselves from the inequities of discrimination. Its triumphs were the Civil Rights Act of 1964 (public accommodations) and the Voting Rights Act of 1965.

But any expectation that middle class blacks would stay attuned with the aspirations of lower income blacks staggered into the 'seventies—the era of "benign neglect"—and collapsed. The memory of the ghetto dimmed quickly for many newly admitted members of the black middle class, and the stanch older members showed signs of psychic exhaustion when asked to make new sacrifices that would benefit only the poor.

"The term black capitalism doesn't mean a damn thing to the black masses," said Bayard Rustin, a black socialist and the chief strategist of the march on Washington. "It only means that middle class blacks got richer. If white capitalists who control trillions of dollars in this country permit wretched whites to exist in places like Appalachia, why does anyone think that black capitalists will free their brothers in the ghetto?"

According to the controversial Scammon and Wattenberg data, which placed the floor

of the middle class at \$8,000 in the North and \$6,000 in the South, the middle class is that point in the economic spectrum where poverty no longer threatens and the essentials of survival—food, clothing, shelter—are taken for granted.

#### STUDY IS CHALLENGED

The storm of challenges to this interpretation focused on several points.

First, Dr. Robert Hill, director of the National Urban League, and other experts scoff at the notion that the \$8,000 and \$6,000 incomes cited by Scammon and Wattenberg are truly middle class. A better standard, Dr. Hill suggests, is the Bureau of Labor Statistics guideline for what is termed "intermediate level" of family budgets.

In 1972, the bureau placed that level at \$11,446 for an urban family with four members. Fifty-six per cent of white families had income above this level, while 26 per cent of black families were above it.

The bureau also set the budget for a "lower level" of living standards at \$7,386. One of four white families, many of them elderly, subsist on incomes beneath that figure. For blacks, more than half (54 per cent) were below it.

Second, Dr. Hill and others insist that black families are more likely than white families to have two or more wage earners, meaning that the relative pay earned by individual blacks is far less than what could be concluded from the analysis of Scammon and Wattenberg.

Third, they point to the large migration of blacks from rural Southern farms to Northern industrial cities as a complicating factor, for it created a one-shot jump in improvement for blacks as a whole that will not be duplicated in the future.

And finally, the gap between white and black earnings continues to widen and intensifies what they call the "envy factor." In other words, telling a black worker how much better off he is today than 10 years ago does not satisfy him if he is convinced that a white worker automatically makes a better wage for the same amount of work and ability. The gap had narrowed during most of the sixties, but it has resurfaced as an issue since 1969, as the nation's economic problems have intensified and black unemployment, which had been held down, returned to its traditional rate—about twice that of whites.

In fact, the gap between median family incomes of white and black families outside the South is about where it was 15 years ago. For example, the average black family in the North today has an income that is 59 per cent of the earnings of a white family—the same statistical gap that existed in 1959.

#### NO SURE SATISFACTION

Elaborating on his findings, Mr. Scammon, formerly the director of the Bureau of the Census, said in an interview in his Washington office that blacks, for the most part, had freed themselves from the most bitter vestiges of second-class citizenship. Finally, he said, they have reached the bottom rung of this country's social-economic ladder.

"The most important thing is that they have now reached immigrant status with the chance to climb the ladder," he said. "Blacks under 35 are the ones who can look to a better future. The older generation of unskilled blacks—the untrained cotton chopper—won't get the same breaks, except for some assist programs and help to the elderly. But as the older generation dies off the whole pattern of black life will improve."

In any event, upward movement into the middle class has never been a guarantee of satisfaction, as many working class whites have discovered. Once climbing wages broad-

ened borrowing powers, individuals discovered that credit-buying propelled them toward levels of spending that complicated their lives. Mortgages, college expenses, cars and all the other window-dressing of American life created new problems. It is understandable, then, that many middle class blacks feel nostalgic—as many whites do—about the days when life seemed simple and happier.

But the question that disturbs a number of experts, after an examination of the economic base that a decade of struggle and reform has created, is whether it is sufficiently broad to open up new opportunities and absorb new people or whether it is static and in need of external stimulation.

There is growing black recognition that any attempts to mobilize the nation to meet black economic demands exclusively are doomed to failure because of the pervasive sentiment in white America that all that could be done legislatively to help blacks has already been done.

"Any effort to help the black man will fail if it is approached as a racial problem," said Congressman Young of Atlanta. "Much of the focus of the past 10 years has been on education, but on one point we are fortunate: There are 50 million white Americans who share the same economic-related problems of blacks today. Mass transit is not a great race issue, but nothing is going to do more to open up the central city than to provide adequate mass transportation to blacks. People forget that one of the causes of the Watts riot was because there was only one bus line from Watts to the area of economic opportunity in Los Angeles."

The white retreat has a corollary, perhaps a hopeful one in its longterm impact on black America, according to the viewpoint of some. The breakup of the old coalition of 1963, which was strong enough to stage a march on Washington and marshal the legal and moral force that smashed through the Jim Crow laws of the South, left blacks with few alternatives other than to push on without white money and assistance. From that initial adversity came greater self-reliance.

#### A SENSE OF HISTORY

The first reaction to what was perceived as an abandonment of the black struggle by whites was growing hostility to all things white, an attitude that was helped along by the parallel development of "black is beautiful" consciousness. Anti-white feelings remain virulent today, particularly in urban areas where racial isolation feeds the stereotypes of the black racist.

"Black college students don't seem to have much sense of history," complains Julian Bond, the black Georgia legislator who speaks frequently on campuses across the country. "They think that everything that happened before 1965 was tokenism and that if white sheriffs had denied them access to public accommodations they would simply have beaten up the sheriff. They are so frightened by the thought of halfway measures to solve problems that they say, 'If I can't save the world I won't do anything at all.'"

Like Bayard Rustin, Mr. Bond blames black intellectuals for immobilizing black college students in the last several years into uselessness and mediocre standards of achievement. Every fault in society, he said, is blamed on irredeemable white racism, and the belief that the majority of whites disdains any further attempts at change leaves the students with an attitude of impotence and rage.

Mr. Rustin suggested that the next decade of black development would liberate the best creative energies in the country's history. "I can see evidence that some young blacks are coming to their senses and can see beyond white racism and won't permit it to become



a crippling influence in their lives," he said. "We are going to get away from nonsense like snap courses in Black Studies. Instead, I see a real flowering of the black mind."

Whether this development, if it materializes, will propel the nation closer to Dr. King's dream of brotherhood and toleration is a question at this juncture.

Certainly, the word "integration" no longer carries a single, uncomplicated meaning: today, it can mean something different to two blacks in the same city.

"I don't really know what all the fuss about integration is about," says James Springer of San Francisco, who lives on a block where there is only one other black family. "My neighbors are in my house and I'm in theirs. But that's my neighborhood life. My family life, my social life, is all black. That's who I am. That's who I grew up with. We're all on this one planet—all of us. That's enough integration for me. Except maybe we could integrate money a little more."

Across town, Lillian Martin recalled the euphoria of the march on Washington. "Whites and blacks together, fighting discrimination and working toward a better life, sounds like the best way to bring about a perfect society," she said. "But the years since then seem to be proving that white and black can't work and live together."

"I have lived in three used-to-be integrated neighborhoods over the last 20 years," she added with a sigh. "I learned that integration is what you have before the whites move out."

She paused to chase a vagrant thought. "How are we ever going to get together?" she asked. "My generation didn't succeed. And my kids' generation says the hell with getting together. I'm going along with them. I've given up working for a better world. I put all my energy into making my community, a black community, a better place to live."

So relations between the races in America remain tentative and subject to every vicissitude inflicted by fatigue and distrust. Yet there are glimmerings of hope discernible that the goals of brotherhood that electrified much of the nation 10 years ago in Washington have not slipped irretrievably beyond reach.

A. Philip Randolph, head of the Brotherhood of Sleeping Car Porters, whose idea it was to arouse the nation's conscience by summoning 200,000 whites and blacks to Washington, is one who believes the dream is still viable.

Seated in a red wingback chair in his Manhattan apartment the other day, with summer sunlight streaming through a corner window, the 84-year-old black leader said he was confident that the fires of racial unrest had been tempered.

"This is a new day," he said, looking tall and lean in the contours of the large chair. "There is a new black man on the scene and things won't be the same again. The young Negro is moving forward and developing a faith in himself that he once did not possess. But he must also seek the support of young white America to make the system work."

His words, clearly, would fall on some black ears as sentimental and unrealistic. Nonetheless, as Mr. Randolph said, there has yet to be developed a serious alternative to the vision that this country would work out its central domestic problem in a way consistent with its ideas.

The decade has been a long one, filled with progress accompanied by violence and terrible tensions. And it is possible to recall the words spoken in the long shadow of Lincoln by a black Baptist preacher from Georgia, and still find them valid.

"I say to you today, my friends, so even though we face the difficulties of today and

tomorrow, I still have a dream. It is a dream deeply rooted in the American dream. I have a dream that one day this nation will rise up and live out the true meaning of its creed, 'We hold these truths to be self-evident, that all men are created equal.'"

[From the New York Times, Aug. 27, 1973]

UNEVEN GAINS DEEPEN PRESSURES ON BLACKS—  
DECADE'S PROGRESS LEAVES MANY INSECURE,  
AMBIVALENT

(By Ronald Smothers)

"I see myself as two people," said 24-year-old Patricia Joyce Anderson, who recently started work as a marketing analyst in the Chicago offices of Standard Oil. "I came here to work and produce, so I have to establish a certain rapport to accomplish my job. That's one side of me. But outside I go back to a black community and my goal is in some way to help solve my people's problems. That's the other me."

She paused briefly, rolled her eyes upward, then bore down to emphasize her point:

"I want there to be more blacks here where I work, so maybe I can integrate the two me's."

Patricia Joyce Anderson thus expressed one of the central findings of a month-long series of interviews by The New York Times aimed at reaching beneath a decade's accumulation of statistics to discover how blacks see themselves and the society they live in 10 years after Martin Luther King Jr. expressed his dream of brotherhood and equality.

For many blacks—including the welfare recipients, professionals, businessmen and antipoverty workers who were interviewed—the last 10 years have meant not only a struggle for fundamental rights and material progress but also a difficult and at times ambiguous quest for their own identity.

For many the search is incomplete. Some continue to adhere to Dr. King's dream of a faultlessly integrated society. Others, through disillusionment or for tactical and personal reasons, have discarded the dream as so much excess baggage in the search for self and fulfillment.

Still others, like Miss Anderson, find themselves uneasily straddling both worlds, confident of their capacity to coexist and compete with whites but reluctant to be "led away from blackness."

But for nearly all of them, despite the increased opportunity that has touched the lives of some blacks, America remains a dual society in which attitudes are shaped by a social reality that is at once bountiful and merciless, promising and perilous. To live with that reality is not easy.

"Whites cannot possibly comprehend the amount of psychic energy that is required to be black," said Dr. Chester Pierce, a Harvard University psychiatrist. "Untold energy is consumed by the need to remember one's race, to estimate how race does or will affect even the most minute aspects of daily life. With what energy that is left, many can feel only helpless and hopeless."

This personal and cultural anxiety is sharpened, moreover, by intense feelings of economic insecurity—a sense of precariousness among those who have "made it" and a sense of despair among those still mired at the bottom.

A black businessman who has threaded his way upward in a white-run corporation worries whether he will be denied further promotion because of his blackness. A black antipoverty worker who has barely touched the first rung of the ladder remains acutely aware that her future depends on the whims of whites who control Government funds.

They and others like them live in what Dr. Andrew Billingsley, a sociologist and vice president of Howard University, calls a

"structured insecurity," and within them it has created an anticipation of discrimination, a combativeness, a sense of being locked in a "we-they" struggle with whites.

Such psychic demands and economic insecurities have led many blacks through a cycle that roughly approximates one recently described in interviews with Dr. Kenneth Clark, a psychologist, and Dr. Alvin Poussant, a psychiatrist and assistant dean of the Harvard Medical School.

#### A TIME OF OPTIMISM

In the early nineteen-sixties, Dr. Clark said, blacks believed passionately in the rightness of the civil rights cause and its chances of succeeding. The tone of the times was one of "fascinating optimism," he said, and its themes were integration, acceptance and equal opportunity.

But reality overtook the dream. Bold new laws guaranteeing basic legal rights were enacted and poverty grew in the ghettos of the North until the whole hopeful vision—in the words of Dr. Poussant—ran upon the realization that society was not going to integrate on a whole lot of levels.

The dream, collapsing, gave way to urban riots, black power and "black consciousness." It brought problems but it also brought a new dispensation: plot your own course to self-realization; seek it in your own heritage, portray it triumphantly in your own literature, art and popular culture.

An accurate reflection of this shift in attitudes—from a simple desire to be "accepted" into white society to a more defiant assertion of individual blackness—can be found in black literature.

As early as 1949, the Pulitzer prize-winning black poetess Gwendolyn Brooks wrote: "Grant that I am human, that I hurt/That I can cry./Not that I now ask alms, in shame gone hollow/Nor cringe outside the loud and sumptuous gate/Admit me to our mutual estate."

Fourteen years later, at the time of the march on Washington, black literature such as "Native Son," "Nobody Knows My Name," and "The Invisible Man" continued to suggest an alienation from the mainstreams of American life that constituted an estrangement from self.

By 1968, Gwendolyn Brooks had shed the old poetic forms as well as her white publisher and begun to draw on African roots and on the rhythm and content of Chicago's street life. "My people black and black, revile the River,/Say that the River turns, and turn the River."

"All of those books of the early 'sixties, and my poetry too, show that those writers, who I respect, felt that there was a future in integration and they had a high and mighty respect for whiteness," she said in a recent interview. "They stressed the genius of whites without stressing the genius and accomplishments of blacks."

In its pure theoretical form, black consciousness was a mix of political, economic and cultural ideas aimed at eradicating the historically second class status of blacks in the country and leading the majority of blacks out of poverty. Adapted from the ideas and analysis of the black experience by black thinkers, it called for political unity among blacks, economic independence of blacks from whites, and a cultural identity grounded in experiences of blacks in Africa and the Caribbean as well as the United States.

To Dr. Clark, the rise of black consciousness in America—in hair styles, movies, literature, the academic life, politics and economics—resulted from "an end to innocence" among blacks, who then adopted "a new realism in the face of the profound sickness in America." To Dr. Poussant, black pride—a phase used almost synonymously with black

consciousness—was not so much a reaction to white racism as it was a healthy and long overdue rejection of "white definitions" of how people ought to live.

Whatever its origin, black consciousness became a major force among many black people. Some seem to have escaped its influence, or were touched by it only lightly. On others its impact was profound as they sought to come to grips with themselves in a predominantly white society.

#### KENNETH CROOKS

Kenneth Crooks, who lives in Atlanta, says that he might have been a corporate executive or might perhaps have "made a million dollars, like everyone in this country wants to." But something changed that when Mr. Crooks, then a recent graduate of the University of Massachusetts, was a candidate for a masters of business administration in 1961 at the Atlanta University Center.

"I was seeking a middle management job with insurance firms and wasn't succeeding because they just weren't hiring blacks. That's when civil rights leaders said that there was something else to making it besides money. That messed everything up," he said facetiously.

He never got to make his million and spent much of the 'sixties as deputy director of the Atlanta Urban League. The civil rights era, with its demonstrations and protests, as well as the emergence of black consciousness have helped Mr. Crooks redefine what "making it" is. It is therefore only logical to him that he should now be involved in yet another outgrowth of the civil rights movement and black assertion—the push for black political power.

Each day for the last seven months, he has reported for work at the large, downtown campaign office of Atlanta's vice mayor, Maynard Jackson, now a black mayoral candidate. Mr. Crooks is campaign coordinator for Mr. Jackson, who is credited with a good chance of winning in the October elections.

Throughout the civil rights era, Mr. Crooks and his wife Claire did not give up the drive to get the material things that most Americans want. They have two cars, a large, modern house that dominates a sloping, sprawling lawn, four dogs and two children who attend a mostly white private school. They moved to their home in the Southwest section of Atlanta five years ago when it was all white.

"That was the time when inviting white folks to parties was the thing," said Mr. Crooks. "We were trying to make the integration thing work. But that changed when all the whites began to move and we saw they weren't serious about maintaining an integrated community."

Mrs. Crooks, a petite, articulate woman, said that she doesn't regret the "reaching out" that the family did but would not do it again. She said there was "a feeling that we had something to prove to them, but I know we don't any more."

This relaxed and less self-conscious attitude is a product of relative comfort and a feeling that now "blacks are going to pull together to reach their goals," said Mr. Crooks. The search is still incomplete for him, but he sees the possibility of success in using much of the theory of black consciousness to compete on an equal basis with whites.

"That's what black consciousness has meant in a way," he said. "I now have to go beyond the acquisition of money and comforts. That's only the second part of the agenda and the first is blacks lifting their psychological heads and walking proud."

Dr. Pouissant calls this a kind of "psychological pluralism" and adds that although status to blacks still to some extent means

"white things and white institutions," there is a recognition that you don't have to "get caught in the trap of what you are supposed to be by white standards."

"Black parents will now be teaching their children not only white models of success and the good life but will have black models as well," he said. Having black models is a healthy development growing out of black consciousness, says Dr. Pierce, and those children who best succeed in the society will be those who are "strongly pro-black consciousness."

Such an upbringing is accessible for the Crooks' children, Kenneth, 9, and Shelley, 6. Although both are in a predominately white school now—"at an age when whites encourage contact"—Mrs. Crooks sees their future education in an all-black setting. There they can develop as a total black person without having to face some of the pressures of increased contact with whites.

"Now I think our children will understand their blackness positively and not negatively. They won't pick up attempts to degrade them in the same way we did," she said.

The Crooks' concern for their children and plans for raising them grew out of their perception "that whites aren't serious about integration." Tactically and personally it seemed better to make their lifestyle "a positive model of blackness."

#### CHESTER THOMPSON

Chester Thompson, a marketing manager in the Chicago offices of IBM, says he feels no compulsive need to define himself or his blackness. His conclusion from his experience of the last 10 years is that "integration can work" and if his 4-year-old son Mark does not get a sense of who he is in their home in an all-white suburb, then he will send him into the city on weekends "where they do nothing but deal with being black."

Mr. Thompson calculates that it takes 41 minutes in the morning and 32 minutes in the evening to travel by train between his job and his home in the Chicago suburb of Northbrook. As the train disgorges commuters at the Northbrook station, Chet Thompson is the only black among them as they run, scurry and trot to beat the crush of traffic in the parking lot.

By any standards the last 10 years have been good to the 34-year-old son of a Moscow, Ark., sharecropping family. Not only have his living conditions improved but achievements due to hard work, cockiness and—as he is careful to point out—"quite a bit of luck" have given him strong self-assurance. Insults from whites that once would have caused him to seethe internally or "bust somebody in the head" can finally be called insignificant.

Stretching out comfortably on the couch in his \$68,000 home, Mr. Thompson recalled the early years at IBM in 1965 "when they finally decided that they would hire some blacks in specific positions." It was a strictly white environment, he said, and he was distrustful and always kept his guard up.

That discomfort has passed, he said, and he now actively seeks involvement with his coworkers and neighbors in mostly white Northbrook. His wife Jewelette, like other Northbrook housewives, fills her week with taking the children to the pool or ice skating rink, Wednesday afternoon bowling with the girls, and charitable activities. It is a more lively social life, she said, than the one in their old middle class, inner city neighborhood, where most of the black mothers worked during the day.

Black nationalism has no personal appeal to Mr. Thompson and his reality has in a sense kept pace with Dr. King's dream. He bristles at any suggestion that "blacks were given all that they have." The lesson from his experience is that Chet Thompson has "made it" and so can today's younger blacks.

The impact of black consciousness, while great, has plainly been less uniform than its theoreticians had hoped. The Thompsons are less affected by it than the Crooks, for example.

No leader or leaders have emerged to make black political unity a reality. Even the recent rash of black films—some of which glorify black pimps and narcotics sellers—offend those who seek a nobler self-image.

And all the more unattainable, it seems, is the vision of at least a measure of black economic independence for those without the luck of Chester Thompson. In a purely practical sense, black consciousness has meant little to poor families at the bottom.

#### MARGARET FORD

Margaret Ford is a Chicago welfare mother struggling with "15 head of children."

The Fords live in a five-room apartment in the Cabrini-Green housing project in Chicago's near North Side. Much of each day for the family is spent walking up and down the dark, winding stairwells of the project to avoid being trapped in a seemingly willful elevator.

Mrs. Ford, who is 38 years old, came to Chicago from Warwick, Ga., in 1954, expecting to find the promised land that returning Georgians had raved about. Instead she found a "nasty, crowded town" that in 19 years, with the death of her husband and the family's dependence on welfare and social security payments, has gotten nastier.

Civil rights, black consciousness, increased opportunity—none has much to do with Mrs. Ford's life. She does not have the comparatively luxurious problem of a Patricia Anderson or a Kenneth Crooks of forging a positive self-image.

"White folks don't influence my life very much. I just don't have time," she said.

Urban living has influenced the Ford family and drawn them close together. Mrs. Ford talks only of her hopes for her children and the older ones dote on the younger ones. Fifteen-year-old Katherine recalls that it was the family's closeness that was responsible for their moving from their old West-Side Chicago neighborhood.

It was last winter when Katherine was in the second month of her second pregnancy, she said, and she had intervened in a fight between her older sister and some girls in the neighborhood. Her mother and her grandmother returned home from the store just as one of the girls hit Katherine in the back with a brick. The mother and grandmother rushed to the aid of the two girls, and that night area residents broke out the windows in the Fords' already heatless apartment.

Mrs. Ford observes sadly that her hopes now for her children are the same as those that she herself had found unattainable in 1954, when she left the South with only a grammar school education and a distaste for field work. She is not optimistic and would like to take her children back South. The lesson for Mrs. Ford is that "Chicago is just too crowded for a girl from Georgia to make it in now."

#### LOUISE JACKSON

The period marking the evolution of black consciousness redefined for many blacks what "making it" really was. For a number of younger blacks such as Louise Jackson it offered new options and a genuine alternative to working for integration.

Louise Jackson, a native of Atlanta, was born in an all-black section called Vine City where poor blacks lived only blocks away from the black doctors and teachers and ministers who constituted the black middle class. Her father was a butcher and her mother a day worker who at times worked for five families at once.



Because of the general atmosphere of enforced separation of blacks from whites, Miss Jackson says, she never recalls wanting to be around whites. Her ambition was to attend one of the all-black colleges of the Atlanta University Center, she says, and attain the kind of comfortable, seemingly secure existence enjoyed by Atlanta's old and established black middle class.

The civil rights movement suggested something new, she said, namely that "integration might be workable," but that feeling began to die after her first summer work experience during high school.

She was the only black in an airline office, and she recalls some overt insults from the whites she worked with. But mostly she remembers "how sickeningly friendly" many of her coworkers were and how eager they were to test their knowledge and perception of blacks on a "real expert—me."

"I had to leave the office regularly during the day just to get away from those 29 grinning faces," she said.

Currently, Miss Jackson is a research assistant at the Institute of Black World in Atlanta, a nonprofit organization that is housed in two adjacent frame houses in her old neighborhood. The institute studies the problems of blacks in this country.

Looking back on that first experience, Miss Jackson says that the pressure of dealing with whites "added to my confusion about what I am and what I should be doing."

The institute is very much an outgrowth of the period of black consciousness and has provided a relaxed, all-black atmosphere as well as, she says, an opportunity to "understand the condition of blacks and myself."

"When you start mixing with white people and you are looking for yourself you won't find yourself. Black people have never been left alone to themselves to find out what they ought to be doing," she said.

In part, it was the college education that her parents viewed as "giving me culture" that led Miss Jackson to her present view. Much of her four years at Spellman College, she said, were geared to training her to be a functionary in the established institutions of the society "and maintain the status quo." But, thanks to some "progressive instructors" and the surge of black consciousness, she said, "there was an ideology fused into the lives of a lot of young blacks."

For Miss Jackson there is no longer any question that blacks have something to offer the society; it now remains to project it through all-black institutions.

"We have been trying to mix and imitate and that hasn't brought any results for most black people," she said. "We haven't been accepted for it and we're still niggers to whites. That won't change, so we will just have to make sure that it is no longer an issue. We'll never control our own lives through integration and so it is defeatist."

EDITH PERKINS

Louise Jackson's approach to being black is a long way from the Thompson family's but, to at least one of those interviewed, Edith Perkins, a Chicago antipoverty worker, each is a success story.

Their success is that they now have choices and are able "to see that things can be different," said the determined, scrappy mother of six who is not too far from poverty like the Fords.

"I saw the signs of success when I first came to Chicago from Wyckham, Ga. and went to the offices of the housing authority. I saw all those black girls typing and working at desks and I was so proud I almost cried," she said.

Progress for Mrs. Perkins, however, was delayed, and for 18 years she lived in public

housing projects where, she recalls, "it was crowded and there was garbage and frustration." She was on welfare in 1963 and remembers being at once moved by and bitter about the march on Washington: Moved because she saw a black man, Dr. King, "standing up for black people," and bitter because she was on welfare and working two jobs—"they made you lie and cheat in that system"—to pay tuition for her children to attend a parochial school.

But in 1965, her life changed concretely when she got a job making \$87.50 a week in Chicago's antipoverty program. The benefits from the job were tangible and Mrs. Perkins counts among her blessings a small one-family home on a tree-lined street, and an understanding of blacks' relationship to the nation's institutions through the antipoverty program.

"But most important," said Mrs. Perkins, rising from a chair in her comfortable living room and approaching the mantelpiece, "are these."

She was clutching four bound high school diplomas belonging to her four oldest children.

"Now I have something to give, white people," she said in a determined and combative tone that has replaced bitterness. "Before when I was in the projects I didn't understand why we were in that spot. We had no skills, no education, and it all seems designed for us to be ignorant."

Although her children will not have the same problem, Mrs. Perkins said, she is reminded each day as she visits the public housing units where she once lived that "there are more mothers in there like I was than there are where I am now."

Nor does she have to look very far in her own life for the racial cues that remind her of her race and status in the society and how roughly the institutions handle her. Her home, for example, is old and she paid more for it than it was worth.

"I was a block buster and didn't even know it. Anytime blacks from the low-income level get something it's worn out when we get it," she said.

The community, known as Highland, is all-black now, and she said it requires constant vigilance and pressure by residents to make sure that city services do not slack off.

Her job with the antipoverty program is in jeopardy now, with the possibility of Federal budget cuts, and she sees her present status as precarious.

But the most personal reminder of her blackness, one that helped shape her present attitudes, came last December when her 18-year-old son, Gregory, was shot and killed inside the Chicago vocational school he attended. The police got in touch with her only once, she said, and told her that her son was dead and that their investigation showed that he had been killed by an unknown accomplice in a robbery.

There was little explanation beyond that, and as far as she knows little investigation into the killing. There were never any arrests, and Mrs. Perkins doubts the police account. "If I had been white, the institutions would have rallied to my support and demanded justice," she said. "But our system is still a dual system."

For most, the last 10 years has not radically changed their perception of a dual society, just complicated it and made the pressures they face more subtle.

In 1957, the sociologist E. Franklin Frazier could write that the response to the dual society by blacks was to aspire, in a sense, to be white. He wrote that blacks had distanced themselves from "roots" among blacks but that, for all their efforts, they continued to stand outside white society. They were rapidly

on their way, he wrote, to "becoming nobody" rather than somebody.

But the effect of black consciousness, which Mr. Crooks said "had pumped something positive into something that was considered negative," has for many somehow balanced the scales in which their lives are weighed.

#### TWO CITIES, NORTH AND SOUTH, SHOW PROGRESS BY BLACKS

(This is the third in a series of articles examining conditions and attitudes in black America 10 years after the march on Washington.)

(By B. Drummond Ayres, Jr.)

In the early sixties, Floyd and Minnie Johnson always dreaded the two-day, 700-mile drive from Dayton, Ohio, to Jackson, Miss.

If you were black in those years of "whites only" prejudice, going back down home to visit relatives meant a lunch of crackers and soda pop wolfed down in the car, an uncomfortable overnight stay in an obscure Tennessee hotel and rest stops at crossroads gas stations with humiliating outdoor toilets marked "Colored."

Today, a decade after the march on Washington of August, 1963, the Johnsons make the trip as easily and comfortably as any white couple, stopping where fancy strikes, without fear of verbal insult from some short-order cook or physical assault by an over-zealous deputy sheriff.

Arriving in Jackson, the city where the police once hauled off civil rights marchers in filthy garbage trucks and Medgar Evers was gunned down, the Johnsons find blacks and whites swimming together in a motel pool, eating together in the city's best restaurant (though its walls are still decorated with black mammals), working together in a prestigious law office, going to school together, even going to the polls together.

The scene back in Dayton is not much different.

In fact, a comparison of racial progress made in the last 10 years in Dayton and Jackson, each rather typical of other communities in its region, shows that the Southern city now treats blacks much the same as the Northern city in most crucial respects—and even better in some.

The laws and court decisions resulting from the civil rights movement, aimed more at the South than the North, have done much of their intended work in Jackson. Racial inequality and the grinding poverty that goes with it still exist there, but, open, harsh discrimination has been eliminated.

"It's a real eye-opener," says Floyd Johnson, a businessman who has gone from carrying a picket sign to investing in lucrative cable television systems.

Some important disparities remain. Using the leverage of Federal antipoverty programs and Federal hiring regulations, Dayton and other Northern cities have provided blacks with more and better job opportunities. In Jackson, where city fathers rejected antipoverty dollars for years, blacks are just now beginning to make this sort of subtle, less visible economic progress.

On the other hand, Jackson—responding to a court order—has pushed ahead of Dayton in desegregating its public schools. Dayton now faces court action, something Jackson first experienced back in 1963.

As for the Rev. Dr. Martin Luther King Jr.'s 10-year-old dream of a genuinely integrated society—a society integrated in spirit as well as substance—neither city has achieved it. But the white flight to ethnically pure suburbs has been swifter in Dayton.

Still, all things considered, both Jackson and Dayton are better places for blacks to

live in today than they were a decade ago. A closer look at both cities and the forces that came to play on them in those years further explains why.

Jackson, founded in the early eighteen hundreds and named for Andrew Jackson, is situated in the center of Mississippi and is the state's capital. The city proper has a population of 155,000, about 40 per cent black, while the greater metropolitan area has a population of 280,000, about 35 per cent black.

Jackson makes its living from state government, petroleum, lumber and light industry.

Like many cities, Jackson is drying up downtown and blossoming on the edges. Its suburban sprawl has that universal look that results from throwing together plastic, glass, fast food, shopping malls, subdivisions and new residents from Bakersfield, Buffalo and Baltimore.

But old Jackson is still unmistakably Southern—words with the edges rounded off, magnolias in the front yard, grits at breakfast, blacks living in shotgun shacks hired by factories, locals nodding hello to strangers, smack in the middle of a busy capital street crosswalk.

#### TWO SEPARATE WORLDS

Race had always been an issue in Jackson. During the Civil War, Sherman burned the city, leaving it with the nickname "Chimneyville."

As the centennial anniversary of that sacking neared, the issue was as prominent as ever. The black man still was not free in Jackson.

"In the nineteen sixties blacks and whites in Jackson lived in two separate worlds under police-state conditions set forth by whites," recalls Robert L. T. Smith, Jr., a prominent Negro grocer and builder whose best man in marriage was Medgar Evers.

There was a dual school system.

Blacks rode in the back of city buses.

Toilets in public buildings were marked "White" and "Colored."

Though Jackson can be "hotter than a pepper sprout," there was only one water fountain marked "Colored" up and down the entire length of Capitol Street, the main shopping and business thoroughfare.

Not a single department store provided dressing rooms for Negroes purchasing clothing.

Blacks were excluded from the city auditorium, from downtown movie theaters, from the main library, from parks and playgrounds in white residential areas.

There were no black clerks, no black secretaries, no black executives, no black policemen. Even garbage trucks were driven by whites.

#### MESSAGE OF THE MOVEMENT

The brother-to-brother grapevine that told Floyd and Minnie Johnson where to pull off the road on the way from Dayton to Jackson, a black Baedeker for Negroes traveling in the South, also passed on to blacks in Jackson what happened to Negroes who challenged the system. Everyone living on Lynch Street, a main ghetto thoroughfare, knew why a church would suddenly go up in flames or why an "uppity" friend would suddenly disappear.

Then, in the summer of 1961, the "freedom riders" came, bringing Jackson the message of the movement, challenging the white man's right to segregate waiting rooms and toilets at the bus station.

The white man resisted.

Blacks died—Medgar Evers in his driveway, two young men on the campus of Jackson State University.

There were beatings—Memphis Norman as he tried to integrate the lunch counter at

Woolworth's, the Rev. Ed King as he marched on Capitol Street.

Thousands were arrested—hailed off in garbage trucks to exhibition cattle sheds dubbed "the fairgrounds motel," tried and found guilty of "contributing" to juvenile delinquency by persuading minors to join in protest demonstrations.

Still, the momentum built, not only in Jackson but all over the South, culminating in the 1964 Public Accommodations Act and the 1965 Voting Rights Act.

Three days after the accommodations act was signed into law by President Lyndon B. Johnson, a dozen blacks entered previously all-white hotels and restaurants in Jackson and were given rooms and meals, thereby knocking down race barriers that had been inviolate since before Jackson's founding.

#### HARD CORE SOFTENS A BIT

The change had started.

It is visible everywhere today, not just in motel swimming pools, restaurants and schools but also in more subtle areas.

A black mannequin stands in a department store window on Capitol Street.

A black announcer reads the local television news.

A black policeman answers a call in a white neighborhood.

A white restaurateur, forced by law to serve blacks, finally gives in the last segregationist inch and begins accepting 50-cent pieces bearing the likeness of one of the American Negro's great heroes, John F. Kennedy.

A hard-core member of Ku Klux Klan, Joe Denver Hawkins, spouts the old rhetoric of racism for an entire lunch hour, then in an unguarded moment of insight says:

"I've come to where I don't mind seeing them in restaurants."

Catching himself, he adds quickly:

"But it's our little children and the women I worry about. God didn't mean for the races to mix and . . ."

Of course, some things have not changed. Jackson still seems to think that only whites can fight fires, wire houses and install plumbing.

Though many of Jackson's blacks depend on public buses to move about the city, bus service remains infrequent and irregular in and out of the ghetto—except early in the morning and late in the afternoon when the white folks' maids are on the move.

While she seldom is issued a separate set of eating utensils any longer, the maid is still very much a part of life in white Jackson. A few weeks ago, Mrs. Bessie Smith, a black woman, walked into the main office of a local gas company and approached the white receptionist. This was the exchange:

RECEPTIONIST. May I help you?

Mrs. SMITH. Yes, I want to inquire about a job.

RECEPTIONIST. Oh, we don't need any maids. Mrs. Smith is a trained data collection specialist.

There are other examples of the durability of old attitudes and perceptions.

When Mrs. Smith's daughter phoned a rental agent about inspecting an apartment advertised in a Jackson newspaper, the agent told her to meet him there. The address was in a white neighborhood.

She arrived. The agent said: "Sorry, it's just been rented."

As in any American city, decent housing is a major problem for blacks living in Jackson. Until recently, the city avoided deep involvement in Federal housing programs because the money for them usually has desegregation strings attached.

With nowhere else to go, many of Jack-

son's Negroes are forced to live in shotgun shacks, those flimsy Southern structures with rooms—and doors to the rooms—positioned one behind another so that a load of buckshot fired through the front door would pass out the back door without hitting anything in between.

Those blacks able to purchase housing in "nice neighborhoods" pay dearly.

"My place cost me \$8,000 more than it would have cost any white," says Dr. Aaron Shirley, a physician.

Actually, desegregated housing is not as much an issue in a Southern city like Jackson as it is in a Northern city like Dayton. Most Dixie towns and cities long have had some mixed neighborhoods, an outgrowth of the Southern desire to have servants and field hands living conveniently nearby.

Southern whites will flee when a black moves onto the block. But they tend to hang around longer than white Northerners before packing up.

Thus, the white-black ratio changed more slowly in Jackson than in Dayton in the last decade.

Jackson started out 36 percent black and now is 40 percent black. Dayton started out 20 percent black and now is 31 percent black.

In Jackson, as well as Dayton, the school situation bears heavily on the problem of white flight.

Dr. King might well be more pleased with what has happened in Jackson than with what has happened in Dayton.

Jackson's schools are fairly desegregated, half white and half black in a number of instances.

True, it took a court order to accomplish this. Furthermore, 40 percent of all white students attend private schools of questionable academic quality.

But those whites remaining in the public system are in integrated classrooms. And some of the whites are beginning to trickle back from the private schools.

In Dayton, only a few schools have significant numbers of blacks and whites attending classes together—and most of them are in transitional neighborhoods.

#### IT'S COMING ALONG

"I don't want to pretend that everything is perfect by any means," says Miss Mary Jane Pell, a Jackson teacher, "but we haven't had a lot of tension or fighting, though the youngsters still tend to sit apart and eat apart. It's coming along. People said the South would solve its problems before the North."

In Dayton, racial tension once forced athletic officials to close gymnasium doors to the public when a basketball team from a predominantly white school played a team from a predominantly black school.

Several developments helped Jackson ease its school desegregation problems.

Faced with a court order to get on with the job, school officials attempted to allay white fears by upgrading the quality of education. Federal funds, previously spurned, were used to hire extra teachers.

At the same time, Jackson's leading white businessmen sponsored a series of newspaper ads petitioning whites and blacks to make school desegregation work. An economic survey had shown that racial tension was driving business away from the city.

"The desegregation of the schools was progress, but it's important to note that it was progress that didn't come from the heart," says Mel Leventhal, the Jackson representative of the N.A.A.C.P. Legal Defense and Educational Fund Inc.

The diminution of racism in Jackson, has been accompanied by a rise in black political power. Free to vote, blacks are beginning to make their political desires felt,



though they do not yet participate in large enough numbers to elect Negroes to key positions, something blacks in a number of other Mississippi communities have accomplished.

"The big problem is getting organized," says Mrs. Patricia Derian, a white Jacksonian who serves as Mississippi's Democratic committeewoman. She adds:

"Politically, what we've had in Mississippi is the Middle Ages, a handful of whites in absolute control. Not many people around Jackson, particularly blacks, have ever really participated in politics. Change is coming, though it's not yet the renaissance."

The political renaissance has not yet come to Dayton, either, which has a population of 260,000, one-third black. But it is closer.

#### BLACKS ELEVATED IN DAYTON

The southwest Ohio city—founded late in the seventeen-hundreds, home of the Wright brothers and producer of cash registers, machine tools and auto parts—has been electing and hiring a few blacks to high political and administrative office for several years.

It has made a determined effort to make the percentage of blacks on the city work force equal to the percentage of blacks living in the city.

Some whites have resisted—among them a number of white policemen—but the drive has been successful, by and large.

Three years ago, when Mayor Dave Hall was forced to resign because of bad health, the Dayton City Commission chose a black member, James McGee, to fill Mr. Hall's unexpired term. Today, having won the confidence of many white Daytonians, Mr. McGee is given an excellent chance of capturing the job in his own right when elections come up this fall.

#### IT'S A MATTER OF FEAR

Still, it would be misleading to read too much into such a victory. The town's majority white population may be willing at the moment, to elect a minority Mayor. But increasing numbers of white voters are fleeing the city's core, with its rambling frame houses and its blocks of box-like factories, moving as deep into surrounding suburbia as money will buy, running headlong away from schools and neighborhoods in racial transition.

Already, more people live outside the city limits than inside. Some blocks sprout forests of "for sale" signs.

A special law permits the a block is designated "sensitive," or panicky. But the law has never been very effective.

"It's a matter of fear, prejudice and exploitative real estate practices," says Joseph Wine, a former councilman once responsible for administering the law.

George Cooper, a top black assistant to Mayor McGee, adds a personal note, saying:

"I moved in next to a white. He's trying hard as he can to sell out—even though he doesn't know me. The only exchange we've ever had was when I once yelled across that his lawn hose was leaking."

Many of the whites left in Dayton are childless or have no children of school age. Thus, though the city is now only one-third black, the school system is almost 45 per cent black.

"If we don't stop white flight, we won't survive," says James Kunde, the city manager.

There are plans to annex the fleeing whites, plans to draw them back downtown with real estate tax breaks, plans to scatter public housing—and thus Negroes—throughout the metropolitan area, thereby breaking up the heavy black concentrations that put whites to flight. This latter plan is being watched with great interest by housing specialists everywhere.

Jackson slowed white flight with hard-nosed, if long-delayed, community leader-

ship and by upgrading the quality of public education at the crucial point.

#### SCHOOL DISPUTE PERSISTS

Dayton, on the other hand, is bogged down at the crucial point in a school quarrel reminiscent of the sort of thing Jackson and other Southern cities went through a decade ago. The latest Dayton desegregation fight involves freedom of choice and the dismissal of a liberal school superintendent.

If Dayton seems confused about how to handle its school and housing problems, perhaps it is because this is one of the few times race has been the city's biggest issue.

Before World War II Dayton had no "Negro problem." Most of the people punching the time clocks in its factories were whites.

But then, after the war, came the black exodus from the South, a steady stream of Negroes driven northward by agricultural mechanization and racial prejudice.

They came from as far down as Florida and as far out as Texas, searching for work and equality. Among them were Floyd and Minnie Johnson.

"I arrived in the early nineteen-sixties, and compared to the South, things weren't so bad in Dayton," Mrs. Johnson recalls, adding:

"Down in Jackson, blacks were struggling just to get into restaurants. In Dayton, the struggle was to get jobs in the restaurants."

Mr. Johnson was arrested picketing Rikes, Dayton's largest department store. The management refused to hire black clerks.

Eventually, however, the store gave in, going so far as to hire Mr. Johnson. He worked as a salesman there for several years.

Today, the store's manager is black.

Throughout most of the early years of the civil rights movement, Dayton—like most Northern cities—was relatively quiet.

#### THE ANTIPOVERTY IMPACT

"When you marched in Dayton in those days, you felt that what you were really doing was supporting your brother who was struggling somewhere down South," says James Fain, a white gadfly newspaperman who has used *The Dayton Daily News* to goad his city further and further along the path of brotherhood.

Then, in September, 1966, Dayton's blacks rioted. It was not a very serious riot compared to eruptions elsewhere, but several blocks were looted and singed and that was enough to remind the city that Dr. King's dream was still only a dream.

Shaken and embarrassed, the Dayton power structure set up a biracial committee to talk things over. Efforts were increased to bring more Federal antipoverty projects into the city.

In retrospect, those programs probably have done more for Dayton's blacks than anything else, for picketing and singing "We Shall Overcome" was not what the movement was really all about in Dayton from 1963 to 1973.

First, the programs—housing, day care, education—provided jobs for the people over-seeing them. Then, they forced the contractors bidding on the various construction projects involved to hire blacks. Finally, the projects that sometimes required neighborhood approval—model cities, for example—helped blacks to learn political organization and tactics.

"Without the Federal program, Dayton wouldn't have changed much in terms of race between 1963 and 1973," says Jon Cummings, a personnel specialist for the city.

What of the future?

In both Dayton and Jackson, the movement is hard to find these days, not only in terms of manpower but also in terms of thrust.

"It's also diffused and complicated now," says the Rev. Gordon Price, one of the 200

people who followed Dr. King to the Lincoln Memorial. Mr. Price, white rector of an Episcopal church in downtown Dayton adds:

"Back at the time of the march, we thought all we had to do was join hands, black and white together, and things would be made right."

#### WILL TAKE A LONG TIME

"Well, some things were. But the tough nuts to crack, like housing and schools, these don't respond to that sort of attack. This is going to take a long time."

Clarence Bowman, head of the Dayton branch of the National Association for the Advancement of Colored People agrees with Mr. Price. But he worries that some of his white liberal friends will not wait around that long.

"Sure, they're tired," he said, "but they're also a bit turned off by black militants and black separatists."

In Jackson, where more than 200 civil rights workers were once headquartered, only a handful remain, most laboring quietly, monitoring, conducting holding operations.

The other day, Charlie Horwitz pulled out. He had spent most his twenties—nine hard years—in Jackson, a white man fighting for black rights, stoically enduring the danger and abuse that ensued.

"I'm burned out," he said as he headed off for a new career as a law student in Washington. Then he added: "Nobody cares much anymore, not even the red necks."

Whatever happened to Memphis Norman, the black youth knocked off the stool at Woolworth in downtown Jackson?

No one remembered.

And that worries Ed King more than anything else. Mr. King, the white minister who used to lead many of the marches on Capitol Street, says:

"People who can't remember how far we've come are not likely to care about how far we've still got to go."

When they were out on the road back in the old days, Floyd and Minnie Johnson never thought it would come to this.

#### CIVIL RIGHTS UNITY GONE IN REDIRECTED MOVEMENT

(This is the fourth in a series of articles examining conditions and attitudes 10 years after the march on Washington.)

(By Paul Delaney)

Ten years ago Hannah D. Atkins, a State Representative in Oklahoma, and J. L. Chestnut, a Selma, Ala., lawyer, frequently entertained whites in their homes.

Today, neither bothers, unless it is absolutely necessary.

Ten years ago, there was a spirit of togetherness among blacks and whites and it was the guiding principle of the civil rights movement.

Today, blacks snicker at the refrain, "black and white together," from the theme song of the movement, "We Shall Overcome." If anybody still sings the theme, it is possibly a nostalgic white liberal.

Neither Mrs. Atkins nor Mr. Chestnut is regarded as a wild-eyed radical or as antiwhite.

But because both may fairly be regarded as solid black bourgeois, their attitudes raise one of the central questions worth asking 10 years after the Rev. Dr. Martin Luther King Jr.'s dramatic speech during the march on Washington on Aug. 28, 1963: What has become of the civil rights movement of the sixties?

On the face of it, the answer is clear: the "movement"—at least to those who knew it as mass protest, spirited rhetoric, and a deep and widespread feeling of interracial fellowship—exists no more. The quest for human equality goes on, but its targets have changed and its passions have been redirected.

Ten years ago, the movement's major goal was to win for blacks basic legal rights that had long been routinely granted to whites. Today, the residual energies of that movement are focused on politics and economics, on the formidable task of translating into memory the right to wield influence at the ballot box and in the marketplace.

#### MEETING IN DENVER

On Monday, for example, black Democratic and Republican leaders met in Denver to begin charting new political strategies and, specifically, to devise ways of increasing minority participation in national conventions and arresting the gradual decline in black voters in national elections. The meeting was arranged by three of the most prominent members of the new breed of black politicians—State Senator George Brown of Colorado, State Representative Julian Bond of Georgia, and Mayor Richard G. Hatcher of Gary, Ind.

Ten years ago, there were only three blacks in Congress. Today, there are 16 Representatives and one Senator. Ten years ago, there were only a few state and locally elected blacks; today, there are over 2,600, according to the Joint Center for Political Studies.

Ten years ago, the gross national product of the black community was estimated at less than \$20-billion; today, it is said to be more than \$50-billion. To be sure, the gross national product as a whole has also grown rapidly; but unlike 1963, there is, in just about every major city and many towns and rural areas, one or more fledgling organization devoted exclusively to black economic development.

Ten years ago, four major civil rights organizations dominated the black community and commanded the headlines: the National Association for the Advancement of Colored People, the Student Non-Violent Coordinating Committee, the Congress of Racial Equality, and Dr. King's Southern Christian Leadership Conference.

Of these, only the N.A.A.C.P. retains its original identity as, increasingly, blacks have directed their commitment to smaller groups with more narrowly defined purposes; the National Welfare Rights Organization, the National Association of Community Developers, the National Sharecroppers Fund, the National Tenants Organization, the Movement for Economic Justice, the Urban Coalition, and others—literally, an organization for every cause.

The National Urban League, which was not regarded as a civil rights organization similar to S.N.C.C. or S.C.L.C., nevertheless provided the movement with key leadership, most prominently that of its late director, Whitney M. Young, Jr. Even today it remains a vital force in the black quest for more and better job opportunities.

Few of the gains made in the last decade would have been possible without the movement and, in particular, its legislative offspring: the Public Accommodations Act of 1964, the Voting Rights Act of 1965, and sections of the Elementary and Secondary Education Act of 1965, all of which owed much to the defiant tactics and unyielding convictions of those who marched not just in Washington but in Albany, Ga., Birmingham, Ala., Nashville, Tenn., Selma, Ala., St. Augustine, Fla., and Bogalusa, La.

Moreover, the movement gave blacks a strong sense of self-awareness that allowed them to be more comfortable with the fact of their blackness and gave them a keener appreciation of their common cause.

As Lonnie King, Jr., who led demonstrations in Atlanta and now owns a consulting company there, put it not long ago: "The movement awakened a very sleepy population to the fact that it can aspire to the highest."

And to others—including Mary King, a

former S.N.C.C. publicist who now lives in Washington—the movement was a phenomenon that would never be duplicated. "It was incredible that a bunch of college kids were able to make the impact we made," she says. "It was one of the great events of history."

Beyond that, the movement gave hope to other groups who freely borrowed the tactics, symbols and slogans of civil rights advocates. These included women, white ethnics, Spanish-Americans, Indians, college students and homosexuals.

#### SLOGANS ARE COPIED

The slogan "black power" was copied and became "senior power" and "gay power," among others. It was not uncommon for Polish-Americans and Italian-Americans to raise a clenched fist, the black power salute. Eventually, President Johnson was to utter, "we shall overcome," and President Nixon was to adopt the Black Panther slogan, "power to the people."

The movement represented a drive for economic opportunity as well as legal parity, and here again there were tangible results. "It helped raise the lower economic class a little," comments Charles Black, a leader in the Atlanta student movement who is now a consultant in that city. His friend, Lonnie King, adds, "A very substantial number of blacks are better off now."

But both men agree that black economic progress has been too little and too slow, leaving millions untouched, and both share with Hannah Atkins, the Oklahoma State Representative, a nagging sense that "progress has been kind of mixed; we seem to take one step forward and two steps backwards."

This continuing and pervasive sense of economic injustice—the feeling that American institutions were fundamentally unresponsive to the requirements of the black masses—angered blacks and did much to damage the movement and discredit the feeling of black-white togetherness that helped shape it.

"While the movement raised the aspirations of blacks it left many of them frustrated when they could not enjoy the benefits of those newly won rights," said Lonnie King. "The riots of the mid-to-late 'sixties were a result of that frustration. Most blacks couldn't buy a steak at the desegregated restaurant because they didn't have the money, and they couldn't buy a \$30,000 house on a \$2 an hour salary."

Charles Hamilton, a black historian who teaches at Columbia, makes much the same point in somewhat different terms, asserting that nearly all struggles tend to be governed by a small elite and tend to yield most of their gains to a relatively small and highly visible group.

"It is more difficult," he said in an interview, "for society to accommodate to the demands or interests of the masses [unless it is prepared to] question some of the fundamental bases of the system."

But economic disappointments alone did not kill the movement. It suffered, too, from increasingly abrasive relations between whites and blacks who had once been friends and allies, from the violence that characterized black protests as time passed, from a fragmentation of leadership, from the increasing complexity and difficulty of the problems that the movement confronted as it shifted its concerns to the industrial centers and urban ghettos of the North.

The feeling that white liberals ran out on black problems before the problems were solved is pervasive in the black community, and is considered a prime reason that even middle-class blacks are hostile.

"There is now a rejection of whites by blacks, great animosity, even repulsion," said Mrs. Atkins, the Oklahoma legislator.

"Blacks are repulsed because they feel be-

trayed by whites, feel that white liberals turned and ran when the crunch came. We feel that liberals were part of schemes to get around integration laws, in housing and schools.

"Ten years ago, we entertained whites a lot in our home—my husband was head of the local Urban League. We went to dances with whites, but we don't anymore. We go to cocktail parties now out of obligation. But I just don't feel like entertaining whites in my home."

Mr. Chestnut, the movement lawyer in Selma, says he now gets more protests from his two daughters over entertaining whites in his home. His daughters were 8 and 11 years old a decade ago.

"They marched when Dr. King pulled the students out of school and they expected a lot out of integration," Mr. Chestnut recalls. "But then they saw that whites didn't mean it. They had bitter experiences with school integration, too, where whites abandoned the public schools rather than go to school with blacks. All of this left a bitter taste in my daughters and many of their friends."

White America too, was puzzled as liberals found themselves increasingly shut out from the movement to which they had given their energies, increasingly disillusioned—or frightened—by the anger of a newly militant black community.

For Northern whites, it was one thing to redress grievances in the South but quite another when the issue was brought home to New York, where bridge traffic was stopped; to Cleveland, where bulldozers were blocked at school construction sites; and to Chicago, where Dr. King tried—unsuccessfully—to rally white opposition to segregated housing in suburban Cicero.

Thus in 1965, whites in Detroit were able to eulogize Viola Liuzzo, the white mother of five who was shot to death during the Selma movement. But two years later, white Detroiters seemed baffled when their black neighbors rioted; still later, when a Federal judge ruled that the city must undertake areawide busing to correct racial segregation in its schools, whites reacted with the undisguised hostility that has marked busing disputes in a number of Northern cities.

"The movement was happening in the South so Northern liberals could feel self-righteous and feel guilty without really hurting themselves," said the Rev. Jesse L. Jackson, president of Operation PUSH (People United to Save Humanity), a Chicago based group devoted to black economic progress.

"Hope was raised in the South and fulfillment came," he went on. "Hope was raised in the North but there was no fulfillment."

And as the focus of the movement shifted northward so, too, did black people themselves, forming a steady procession of humanity that reinforced old problems and hastened the search for new organizations to solve them.

Between 1960 and 1970, for example, 1,380,000 blacks left the South and journeyed to the already over-crowded ghettos and marginal neighborhoods of the urban North—a loss of nearly one-eighth of the South's entire black population. Of these, nearly half settled in the industrial Northeast, the rest in the big cities of central states and on the West Coast.

Deep in the hot and crowded slums, the movement took on a more anti-white and pro-black fervor. The Black Panthers were formed and found easy recruitment among restless urban youth. Intellectuals turned once again to African roots for solace and inspiration, just as blacks had done at the turn of the century.

Meanwhile, men like George Wiley—who drowned earlier this month—turned from the established institutions and began attacking specific urban ills. First Mr. Wiley organized welfare recipients into the militant



National Welfare Rights Organization; then he formed the Movement for Economic Justice, which he hoped would attract allies from other minorities.

The toll on the older organizations was heavy. The N.A.A.C.P. returned to its legal fight to end discrimination through the courts; the Southern Christian Leadership Conference, deprived of its leader by an assassin's bullet, is today broke and disorganized.

The Congress of Racial Equality became a black nationalist organization pushing a philosophy without a program, gaining attention only because of its charismatic leader, Roy Innis. And the Student Non-Violent Coordinating Committee—the young commandos of the early nineteen-sixties flirted briefly with a militant, all-black nationalism and then went out of business altogether.

The history of the Student Non-Violent Coordinating Committee—a history at once brief and incandescent—tells much about the rise and fall of the movement, its joys and sorrows.

Beginning on Feb. 1, 1960—when four students at North Carolina A&T College in Greensboro decided to sit in at the white-only lunch counter at the local Woolworth's—and sweeping through the next four years, the young men and women of S.N.C.C. brought the movement to nearly every black campus in the nation, helped organize demonstrations at the rate of 40 or 50 a week, and lured a seemingly unending stream of students into the South to fight the laws and customs of Jim Crow. Its philosophy was one of love and nonviolence; its tactics were those of confrontation.

From the beginning, the organization of youngsters daringly, almost arrogantly, flaunted integration before the eyes of whites, who after getting over being flabbergasted retaliated with a wave of bombings, beatings, jailings and killings that shook the nation.

The student committee dispatched integrated teams of students with the word to poor, scared, disbelieving blacks that they had the numbers, and most certainly the right, to change the system if they would register to vote.

"We began in Southwest Georgia and Mississippi because we knew they would be tough to crack and because there was an abundance of organizations working urban areas and almost no national groups in rural areas," said Charlie Cobb, a former S.N.C.C. leader who was beaten and arrested many times.

"In many places, we were the first visible organization to come in, and that was good for local people," he said. "S.N.C.C. made voter discrimination a national issue in the North as well as the South. We destroyed the myth that blacks didn't want to vote, as white Southerners claimed in denying blacks the right to vote."

The young students of S.N.C.C. carried their enthusiastic idealism with them wherever they went, and as it turned out their unyielding zeal was their downfall. The end began, perhaps, with the march on Washington, a day they had envisioned as one of civil disobedience intended to stop the Federal Government until it recognized and dealt with the problems in Mississippi.

But older, more experienced leaders and organizations, in concert with the Administration of President Kennedy, made the march the biggest in history for civil rights, with the goals of "jobs and freedom."

The S.N.C.C. youths were bitter, and took their bitterness back South, with an increasing distrust of all others.

#### THE CRACK IN THE MOVEMENT

"The march was the crack in the movement, that laid the seed for the destruction of the movement," remarked Ed Brown, a S.N.C.C. leader and the brother of H. Rap Brown, a former chairman of the organization.

The distrust of white liberals and other civil rights organizations was further confirmed the next year, 1964, when S.N.C.C. led a challenge of the regular party delegates to the Democratic National Convention. That challenge failed and S.N.C.C. felt betrayed by politicians and older black leaders. "We were politically naive," commented Charlie Cobb. "We really believed that since our cause was just and moral that we would win."

Ed Brown said, "If we hadn't believed so deeply, the shock would not have been so pronounced and the reaction so bitter. We were morally outraged."

The student committee plunged into a leadership crisis from which it never recovered. And sticking to its principles, it began alienating its supporters, first by kicking out whites, then by becoming the first civil rights organization to oppose the Vietnam War and finally by its opposition to Israel in the Six Day War of 1967.

The organization, Charlie Cobb said, "sort of just dwindled away after losing its campus base, its Southern base and its on-going programs. The organization became one of personalities rather than programs under Rap and Stokely Carmichael."

Today, many of the leaders of the defunct student committee still consider themselves activists, but chiefly from inside the system that they fought so hard to change. Most are connected in some way with the cause of blacks, other minorities and the poor as a whole.

A partial roll might include:

John Lewis, director of the Voter Education Project, which conducts registration campaigns and voter education among minorities. Ten years ago, as chairman of S.N.C.C., his stinging speech before the throng that gathered at the Lincoln Memorial was toned down after Archbishop Patrick O'Boyle of Washington objected to some passages.

Julian Bond is not only a member of the Georgia General Assembly but also is president of the Southern Elections Fund, which raises money to aid mostly black political candidates in the South. A decade ago, he was director of public relations for the student committee.

Robert Zellner, who led more demonstrations than any other white S.N.C.C. leader and who, like so many others of the militant youthful organization, bears the scars of numerous beatings, heeded the advice of his black colleagues that whites go into their own community to bring about change. He is organizing white pulpwood workers in Louisiana and Mississippi.

Bob Moses, once regarded as the spiritual leader of the student committee and author of many of its programs is teaching school in Tanzania.

Marion Barry, the first chairman of S.N.C.C., is president of the board of education of Washington.

"Rap" Brown, also a former chairman, was recently sent to prison in connection with a robbery attempt and shootout with New York policemen. A fiery speaker, Brown was accused of inciting riots in several cities, including Cambridge, Md., and Dayton, Ohio, where disturbances followed his appearances.

Stokely Carmichael, perhaps the best known former head of S.N.C.C., who helped usher in a new era of black awareness with his shouts of "black power," has organized a black political party with the aim of fostering stronger ties between American blacks and black Africans.

The roll would also include some leaders of other organizations who are now dead: Whitney Young, head of the National Urban League and considered a bridge between the conservatism of the N.A.A.C.P. and the militancy of S.N.C.C. and C.O.R.E.; Medgar Evers, head of the N.A.A.C.P. in Mississippi, Dr. Wiley, the organizer of welfare recipients, and of course Dr. King.

A. Philip Randolph, former president of the International Brotherhood of Sleeping Car Porters and dean of Civil Rights Leaders, is retired, ailing and writing his memoirs in his New York apartment.

Bayard Rustin, former aide to Mr. Randolph, is now in the labor movement. James Farmer, who went on to become Assistant Secretary of Health, Education and Welfare was head of C.O.R.E., in the Nixon Administration, is now speaking and writing. Floyd McKissick, who succeeded Mr. Farmer at C.O.R.E., is now building an all-black community in North Carolina.

And Jesse Jackson, who was a student at North Carolina A&T College when the first sit-ins occurred and eventually became an aide to Dr. King, is now a leading spokesman for political, social, and economic equality and parity.

"The seeds sown in 1963 have borne fruit," Mr. Jackson remarked in a recent interview. "We have more ethnic consciousness now. We are less likely to be put back into slavery. We are better equipped intellectually, emotionally and technically to protect ourselves. We finally had to come to that independence to get to the next step."

"This time," he added, "we are moving from the civil rights struggle, where the object was citizenship, to the fight for equality and parity."

In retrospect, many blacks agree that the struggle—though different in its tactics, its rhetoric and its style of leadership—is still on course. As Charles Black, the former student leader who is now a consultant in Atlanta, put it:

"We are older and maybe a little wiser, and certainly a little more conservative than 10 years ago. We are in the system now and we should be there. But there should be younger, more militant people pushing and prodding us, as we did then."

#### MAINE'S EXPERIENCE WITH THE INTERGOVERNMENTAL PERSONNEL ACT OF 1970

Mr. MUSKIE. Mr. President, Gov. Kenneth M. Curtis of Maine has sent me the first year summary and evaluation report of the Maine government personnel assessment and training program funded by Maine's fiscal year 1972 grant award under the Intergovernmental Personnel Act. Among other achievements of its first year in operation, the Intergovernmental Personnel Act was responsible for offering 637 Maine public officials almost 16,000 man-hours of training in such different areas as supervision in the public service, developing communication skills, effective oral and written presentation, and labor relations. Comments from participants in these training sessions were highly favorable.

The Intergovernmental Personnel Act was enacted January 5, 1970, after several years of intensive review by the Congress. Designed primarily to help strengthen the personnel resources of State and local governments through Federal grants and technical assistance for training, the IPA has proved itself to be an extremely effective and popular program at a very modest cost to the Federal Government. Since 1970, IPA appropriations have gradually increased to a level of \$15 million in fiscal year 1973. The fiscal year 1974 request, however, was reduced to \$10 million on the understanding that this reduction would be offset by carryover funds. However, it is my understanding that virtually all of

the carryover funds have already been committed by the Civil Service Commission, which administers the IPA program. In effect, the \$10 million request represents a cutback of \$5 million.

Mr. President, it would be extremely unfortunate if the momentum and achievements of the first 3 years of the Intergovernmental Personnel Act program were set back by this reduced budget request, and I hope that the Senate will consider increasing the appropriation to the \$15 million level. I ask unanimous consent that the Maine evaluation report be printed in the *RECORD* as a document of the program's effectiveness and popularity in my State.

There being no objection, the report was ordered to be printed in the *RECORD*, as follows:

OFFICE OF THE GOVERNOR,  
Augusta, Maine, July 5, 1973.

Mr. L. F. CRONIN,  
Regional Director, U.S. Civil Service Commission, John W. McCormack Post Office and Court House, Boston, Mass.

DEAR MR. CRONIN: It is a pleasure to transmit to you this "First Year Summary And Evaluation Report" of the State of Maine's FY 72 Grant Award under the Intergovernmental Personnel Act of 1970.

The Maine Government Personnel Assessment and Training Program financed by IPA had the following major results:

(1) Increased the Bureau of Public Administration, University of Maine at Orono's capacity to provide a comprehensive and statewide general management educational program for Maine state and local government administrators;

(2) Increased the availability of and access to educational opportunities for in-service personnel with 32 total offerings held in regional locations throughout Maine and representing the delivery of more than 800 hours of instruction and about 15,850 man hours of participant involvement in training;

(3) Provided an assessment of state and local government personnel training needs as a foundation upon which to build future IPA and non-IPA sponsored offerings;

(4) Strengthened the intergovernmental communications and coordination network relative to public personnel and training services among the State Department of Personnel, Maine Municipal Association, the University of Maine at Orono—Bureau of Public Administration, and the U.S. Civil Service Commission Regional Training Center; and

(5) Upgraded the general management skills and abilities of more than 600 Maine government personnel increasing their individual and organizational capabilities to deliver improved public services to Maine citizens.

IPA first-year support has made a significant contribution in assisting Maine state and local governments strengthen their personnel administration and training. However, it must be considered only "a good beginning" and requires continued commitment and increased support if we are to achieve the results needed in these areas.

The staff assistance provided by your Intergovernmental Personnel Programs Division has been most appreciated.

Sincerely,

KENNETH M. CURTIS,  
Governor.

#### INTERGOVERNMENTAL PERSONNEL ACT OF 1970—MAINE GOVERNMENT PERSONNEL ASSESSMENT AND TRAINING PROGRAM

(First year summary and evaluation report, January 1-December 31, 1972)

##### I. BUREAU OF PUBLIC ADMINISTRATION

In September 1971, Governor Kenneth M. Curtis designated the Bureau of Public Administration, University of Maine at Orono, as the agency to organize and administer a statewide program to identify and upgrade the general management skills and abilities of Maine government administrators, under the Intergovernmental Personnel Act of 1970. The Bureau of Public Administration

(BPA) was created by the 102nd Maine Legislature in 1965 as a part of the Department of Government (now Political Science) at the University of Maine at Orono, and charged with providing: (1) research on Maine governmental problems; (2) career development of Maine governmental employees through greater educational opportunities for public employees; and (3) publications on governmental subjects.

The BPA has been active in providing varied education and training programs for Maine governments during the past five years. It has developed as a recognized provider of career development courses aimed at upgrading the skills and abilities of Maine government personnel and thereby improving the quality of Maine public services.

The following is a report on Maine's first year IPA activities.

##### II. FIRST YEAR PROGRAM PLANS

Maine's first year grant award covered the period January 1, 1972, through December 31, 1972 and totalled \$84,000 (including Maine's \$60,000 share of federal IPA funds). The work program was designed by BPA in consultation with numerous state and local government officials. It had the specific endorsement of the Maine State Department of Personnel, the Maine Municipal Association (representing Maine local governments) and the metropolitan cities of Portland, Lewiston, Auburn and Bangor.

The first year IPA plan represented a two-pronged approach to meeting the personnel improvement needs of Maine governments. First, the plan aimed at meeting some of the basic education and training needs known to exist among state and local government administrative, professional, and technical personnel. The goal was to offer general management courses to an estimated 655 key Maine public officials.

Second, the first year plan included an assessment of state and local government manpower, training, and personnel service needs to provide a more solid foundation upon which future state/local personnel improvement activities and IPA funding priorities could be built.

##### III.—1ST YEAR IPA PROGRAM ACTIVITIES, TRAINING PROGRAM SUMMARY

Course and location	Number of participants	Men	Women	State	Local
Supervision in the public service, Sanford.....	17	10	7	13	4
Supervision in the public service, Farmington.....	13	11	2	9	4
Supervision in the public service, Brunswick.....	9	9	0	2	7
Supervision in the public service, Augusta.....	28	23	5	22	6
Supervision in the public service, Portland.....	21	18	3	9	12
Supervision in the public service, Presque Isle.....	11	8	3	3	8
Supervision in the public service, Bangor.....	27	20	7	20	7
Supervision in the public service, Auburn.....	29	23	6	13	16
Supervision in the public service, Rockland.....	12	10	2	7	5
Supervision in the public service, Pineland, No. 1.....	14	7	7	14	.....
Supervision in the public service, Pineland, No. 2.....	17	12	5	17	.....
Supervision in the public service, Pineland, No. 3.....	39	15	24	39	.....
Supervision in the public service, Pineland, No. 4.....	21	7	14	21	.....
Developing communication skills, Boothbay Harbor.....	10	7	3	4	6
Developing communication skills, Trenton.....	10	5	5	8	2
Developing communication skills, Augusta State Hospital.....	30	15	15	30	.....
Developing communication skills, Orono.....	29	19	10	12	17
Developing communication skills, Augusta.....	30	24	6	19	11
Developing communication skills, Augusta State Hospital.....	27	10	17	27	.....
Developing communication skills, Machias.....	9	8	1	5	4
Developing communication skills, Camden.....	17	13	4	8	9
Developing communication skills, Kennebunkport.....	13	9	4	5	8
Developing communication skills, Presque Isle.....	11	10	1	3	8
Effective oral presentation, Gorham.....	14	11	3	7	7
Effective oral presentation, Orono.....	17	14	3	4	3
Speaking for results, Augusta.....	26	14	12	17	9
Labor relations, Orono.....	20	20	0	13	7
Labor relations, South Portland.....	32	26	6	12	10
Effective writing seminar, Augusta.....	21	16	5	24	7
Do.....	20	15	5	18	2
How to improve individual manager performance, Boothbay Harbor.....	8	8	0	3	5
Do.....	19	16	3	14	5
Managerial grid seminar, Orono.....	16	14	2	6	10
Total.....	637	447	190	438	199

##### Supervision in the public service

The purpose of this course is to improve the public supervisor's knowledge of supervisory methods and to increase his skill in dealing with supervisory problems through group study and discussion.

The format used is participative learning—using games, role playing, case studies, and group discussion.

(10 sessions).

Topics covered in the course include:

The Supervisor's Job.  
Planning Our Work.

##### Organizing Our Work.

Directing, Coordinating, Controlling Work Operations.

Delegation.

Motivating Employees.

Communication.

Employee Problems.

Personnel Problems.

Public Relations.

Supervision in the Public Service was presented in 10 areas of Maine utilizing funds from the Intergovernmental Personnel Act of 1970 to cover the major costs.

Location	Number of participants	Men	Women	State	Local
Sanford.....	17	10	7	13	4
Farmington.....	13	11	2	9	4
Brunswick.....	9	9	0	2	7
Augusta.....	28	23	5	22	6
Portland.....	21	18	3	9	12
Presque Isle.....	11	8	3	3	8
Bangor.....	27	20	7	20	7
Auburn.....	29	23	6	13	16
Rockland.....	12	10	2	7	5
Pineland.....	91	41	50	91	0
Total.....	258	173	85	189	69



The purpose of this three-day workshop is to examine and improve the way in which supervisors relate to other people in giving instructions, solving problems, and getting work done; and to continue to explore practical communication techniques for their job situation.

Films and small discussion groups are used to assist supervisors in exploring their own communication patterns, and to build a frame of reference for looking at the communication process.

Ten Developing Communication Skills workshops were offered during 1972:

#### *Developing communication skills*

(a 3-day workshop)

Workshop Outline:

Communication: Definition and Example.

The Communication Process.

Dealing With Resistance to Change.

Choosing Communication Patterns.

Listening.

Improving Feedback Skills.

Location	Number of participants	Men	Women	State	Local
Boothbay Harbor.....	10	7	3	4	6
Trenton.....	10	5	5	8	2
Augusta State Hospital (2 workshops).....	57	25	32	57	.....
Orono.....	29	19	10	12	17
Augusta.....	30	24	6	19	11
Machias.....	9	8	1	5	4
Camden.....	17	13	4	8	9
Kennebunkport.....	13	9	4	5	8
Presque Isle.....	11	10	1	3	8
Total.....	186	120	66	121	65

This 3-day workshop is designed to help managers, supervisors, technical and staff specialists develop their skills of oral expression in public and private speaking situations.

Participants have an opportunity to learn how to prepare for a talk, how to develop the subject, how to make a clear, natural and effective presentation, and the techniques of effective expression.

There is also ample opportunity for each participant to speak and to receive criticism and helpful guidance.

#### *Effective oral presentation*

(A 3-day workshop.)

Workshop Outline:

Process of Communication.

Planning the Presentation.

Structuring the Presentation.

Techniques of Effective Expression.

Impromptu Presentation Workshop.

Communication Aids.

Prepared Presentation Workshop.

Effective Oral Presentation was presented in three areas of the state:

Location	Number of participants	Men	Women	State	Local
Gorham.....	14	11	3	7	7
Orono.....	17	14	3	14	3
Augusta.....	26	14	12	17	9
Total.....	57	39	18	38	19

#### *Labor relations in the public sector*

This workshop is designed to provide all participants with a better understanding of labor-management relations in the government work setting.

The workshop explores sources of labor-management conflicts and techniques for identifying and correcting problems as well as handling and preventing grievances.

(a 3-day workshop)

Workshop Outline:

Labor-Management Relations in the Public Sector—the Whys and Wherefores.

Maine's Public Labor Law—Changes, Explanations and Substance.

How to Determine Units and Bargaining Agents.

The Negotiating Process: Preparation for Bargaining, What to Bargain, The Bargaining Process, Drafting and Interpreting Contract Clauses.

Resolution of Bargaining Impasses Mediation, Fact-finding, and Arbitration Contract Grievance Arbitration.

Contract Implementation & Administration, Grievance Handling, Contract Clauses—Their Importance, Strikes—Yes or No.

Labor Relations in the Public Sector was offered in two areas of the state:

Location	Number of participants	Men	Women	State	Local
Orono.....	20	20	0	13	7
South Portland.....	32	26	6	22	10
Total.....	52	46	6	35	17

#### *Effective writing seminar*

This 3-day seminar was developed to aid letter writers by stressing the value of effective letters to the reader, the writer, and the agency; pointing out principles of effective writing; giving participants practice in applying these principles; and enabling participants to diagnose their own writing.

(a 3-day seminar)

Seminar Outline:

What Writing Is All About.

Structure in Report Writing.

Style and Tone.

Letter Writing.

Hints on Correct Usage.

Writers' Workshop.

The Effective Writing Seminar was offered two times:

Location	Number of participants	Men	Women	State	Local
Augusta.....	21	16	5	14	7
Augusta.....	20	15	5	18	2
Total.....	41	31	10	32	9

#### *How to improve individual manager performance*

This 3-day workshop exposes participants to the essential concepts of public service

management. They have an opportunity to learn the necessity and criteria for writing position or job descriptions, the criteria for writing effective performance standards, and to practice writing such job descriptions and standards. They will also be exposed to the performance appraisal process and have the opportunity to try the ideas, concepts and methods presented and discussed.

(A 3-day workshop.)

The workshop is divided into four sessions:

The Concepts of Management.

Management Organization and Position Descriptions.

Standards of Performance for Managers.

Performance Appraisal for Managers.

Two sessions of How to Improve Individual Manager Performance were presented:

Location	Number of participants	Men	Women	State	Local
Boothbay Harbor.....	8	8	0	3	5
Boothbay Harbor.....	19	16	3	14	5
Total.....	27	24	3	17	10

#### *Managerial grid seminar*

This seminar is designed to provide participants with understanding of Grid theory and how it may be applied to raise levels of organization effectiveness. Learning objectives include:

Understanding your impact on others inside and outside your organization;

Increasing your leadership skills for better results through creative participation;

Improving your competence in working with groups in conflict; and

Strengthening your capacity to deal with the effects of your organization's culture—your objectivity in identifying and removing outmoded traditions, customs, and operative include:

(A 1-week seminar)

This program was sponsored by the International City Management Association and coordinated in Maine by the Bureau.

Topics covered during the week included: Improving Personal Leadership Effectiveness.

Evaluating the Work Culture.

Building Teamwork.

Improving Intergroup Relations.

Applying Learning to Achieve Results.

Planning Effectively.

The Marginal Grid Seminar was presented in one area of the state:

Orono:

Number of participants, 16.

Men, 14.

Women, 2.

State, 6.

Local, 10.

#### *SUMMARY OF INSTRUCTION/MAN HOURS*

Course	Total participants	Hours of instruction	Total hours	Man-hours of training received	Total hours
Supervision in the public service.....	258	24 hr×13 offerings.....	312	24 hr×258 participants.....	6,192
Developing communication skills.....	186	24 hr×10 offerings.....	240	24 hr×186 participants.....	4,464
Labor relations.....	52	24 hr×2 offerings.....	48	24 hr×52 participants.....	1,248
How to improve individual manager performance.....	27	24 hr×2 offerings.....	48	24 hr×27 participants.....	648
Effective oral presentation.....	57	24 hr×3 offerings.....	72	24 hr×57 participants.....	1,368
Effective writing seminar.....	41	24 hr×2 offerings.....	48	24 hr×41 participants.....	984
Managerial grid seminar.....	16	50 hr×1 offering.....	50	50 hr×16 participants.....	950
Total.....	637	.....	818	.....	15,854

## IV. FIRST YEAR PROGRAM RESULTS

*Training program*

Utilizing the past experience and resource capabilities of (1) the University of Maine at Orono's Bureau of Public Administration; (2) the Civil Service Commission's New England Regional Training Center; and (3) the International City Management Association, the following training programs were offered to state and local government personnel during the period January 1, 1972 through December 31, 1972:

BPA—Supervision in the Public Service: 13 presentations throughout the state; Developing Communication Skills: 10 presentations; and How to Improve Individual Manager Performance: 2 presentations.

USCSC—Effective Writing Seminar: 2 presentations; Effective Oral Presentation: 3 presentations; and Labor Relations in the Public Sector: 2 presentations.

ICMA—Managerial Grid Seminar: 1 presentation.

The training program was evaluated by: (1) utilizing an evaluation questionnaire with participants at the end of each course soliciting reactions to determine the extent to which the course met the participants' expectations, and needs and suggestions for improving and/or changing the course design, format or materials; (2) analysis of the instructional staff as to how the material appeared to meet participant needs and evaluating the course materials; and (3) determining, to the extent possible, the impact of the training in post-course changes in behavior and on-the-job results. Given the limited resources and a preference for maximum training delivery, post-course implementation of training by participants was measured only through random sampling techniques with trainees and their supervisors.

The results of Maine's first year IPA training programs are extensive with both immediate and long-range impact. Informal examinations conducted by the BPA staff to determine the effectiveness and results of the IPA training indicated: (1) IPA support made it possible for many state and local government employees to participate in training for the first time; (2) low registration fees and regional offerings throughout the state made training convenient and accessible to administrative, technical and professional personnel at all levels of government; (3) participant evaluations indicate that the education offerings provided valuable assistance in improving individual job performance.

Following are a few of the concrete examples from 1972 IPA training that provide a flavor of the benefits employees of state/local governments received:

(1) The Supervision in the Public Service course provided the following examples of results: (a) The course deals with the supervisor's role in planning and public relations. One participant decided to implement ideas learned to improve the public relations of those working in the town hall. Within days, the feedback from individual citizens was decidedly positive and the morale of employees was substantially raised. Ideas learned in the classroom were transferred to the job and have helped to improve the image of that municipal government in Maine; (b) Another example involves a public works supervisor. During the classroom discussion, this individual was exposed to certain ideas regarding the supervisor's role in planning. After the course, BPA's Assistant Director personally visited the public works supervisor who announced that he had become more effective in planning the daily activities of his employees. He estimated, as a result, that the city saved approximately \$1,250 during a one-month period and accomplished

more work, with the same amount of personnel.

(2) The Effective Writing Workshops produced the following: A town manager studied the art of writing letters. He utilized the new techniques back in the office to produce time savings by himself and his secretary in letter writing and allowing him to spend greater time on more crucial problems. Other participants have pointed out that reports that must be prepared are now clearer, more concise, and better organized.

(3) The Effective Oral Presentation and Speaking for Results Workshops are typically evaluated as follows: One participant indicated that the workshop has helped considerably in the interviewing of prospective employees for state service. Many participants and their supervisors reported increased self-confidence in presentations before fellow employees or "outside groups" as a result of this in-service training.

(4) The Labor Relations Workshops provided employees with the basis of labor-management relations in the public sector. A deputy commissioner in state government acknowledged that the workshop had provided him with a badly needed foundation in employee relations which has assisted him on the job. Similar expressions were received from town managers, personnel managers, and bureau heads. The director of nursing at a state hospital commented that she now more fully understands grievances, bargaining impasses, management rights and other assorted concepts of collective bargaining in the public sector.

(5) The program, How to Improve Individual Manager Performance, has been helpful too. A deputy commissioner in state government has taken the techniques of writing position descriptions, and outlining standards of performance and is implementing them throughout his department.

These results are only a small sample of those received. Additional examples are discovered regularly. The important thing is that they add up to increased effectiveness and improved quality of services delivered to the taxpayers of Maine. And in spite of the resource limitations on detailed evaluation of training, IPA-delivered, the observable impact in Maine has been considerable.

*Assessment of manpower and training needs*

This part of the IPA first year program involved an assessment of the present and anticipated future demands of Maine state and local governments for training professional, administrative, and technical personnel including: (1) the nature of training needed; (2) the resources presently available; and (3) the unmet needs which already exist or which may be foreseen. The assessment was seen as an integral part of IPA planning and as a significant contribution to the setting of priorities for future IPA funding in Maine.

Beginning in May, 1972 the Bureau training staff surveyed Maine state, municipal, county, legislative, special districts and public officials to determine training needs to improve job performance.

Two advisory groups were utilized to insure the involvement of both state and local government representatives:

1. Local—the Advisory Committee of the Maine Municipal Association

2. State—an Advisory Committee consisting of eight commissioners from state government

Methods of gathering information were: (1) a mailed questionnaire; and (2) on-site visits by BPA staff in 50 municipalities, all state departments and all counties.

More than 3,750 professional, administrative, technical and supervisory personnel at all levels of Maine government were involved in the survey.

The returns were analyzed and produced the following major findings: \*

(1) Eighty-eight per cent of the more than 1,000 state employees contacted indicated the need for a continuous, comprehensive career development program;

(2) A priority need for twelve training programs was identified to improve job performance of professional, administrative, technical and supervisory personnel throughout Maine governments and included: Supervision in the Public Service, Group Leadership and Participation, Effective Rapid Reading, Effective Listening, Speaking for Results, Orientation and Development of Employees, Problem Solving, Effective Personnel Practices, Techniques of Employee Motivation, Labor Relations, Principles of Communication, and Work Simplification;

(3) The majority of governmental units/agencies are not organized to improve job performance of individuals within the agencies, i.e.

(a) They have no training coordinator/director;

(b) Little or no funds budgeted for training;

(c) Employee training needs are not/have not systematically been identified; and

(d) There is no annual plan for training employees;

(4) Only three cities in Maine were found to employ an official designated as Personnel Director and four indicated the use of a personnel board. Personnel duties are administered by the manager or council in 72% of the reporting communities;

(5) Less than 50% of the responding municipalities were satisfied with their existing personnel systems; 33% indicated they needed or would like assistance in improving their personnel system.

The information gathered through the survey is being translated into action plans to meet identified needs. The major portion of the 1973 IPA training program is a direct result of the data collected—a public service training effort planned and conducted on the basis of diagnosed needs.

The major training needs indicated by all levels of Maine government have been or are being developed by the BPA training staff supported by IPA funds. Training programs will be conducted throughout the state so that as many as possible can take advantage of the new training opportunities.

In addition to the statewide training component of Maine's 1973 IPA proposal, a second component will meet the need for personnel advisory and technical assistance services among Maine communities identified in the assessment study. This effort is being undertaken in cooperation with the Maine Municipal Association.

## SIX-MONTH EVALUATIONS

*The comments of IPA training program participants*

The primary objective of IPA training programs provided by the Bureau is to provide the participant with a learning experience that will produce pay-off in terms of results on the job.

Determining the impact of training in post-course changes in behavior and on-the-job results necessitates substantial amounts of time, money and staff assistance not budgeted for in the IPA grant and unwarranted given the limited resources available. In order to assess, to the extent possible, what each participant transferred from the classroom to the job that may be translated into improved job performance, a six-month evaluation of each course is made. This is done through a questionnaire mailed to each

\*A summary of the report has been published and is available upon request to the Bureau.



participant and to his immediate supervisor six months after the end of the program.

Among replies from participants when asked at the six-month evaluation "In what specific way did the training program help to improve your job performance?" are the following:

Most indicated that there were ideas, methods or approaches learned that have helped improve overall job performance. Samples of specific responses as to the way(s) in which the specific training program contributed to job improvement follow:

In what way did it help your job performance?

#### Supervision in the Public Service

I have initiated a program for training the personnel who work for me. I have also set up a better system of record-keeping to keep track of personnel.

The action assignments required of the employees under my supervision were very enlightening and provided me with information as to each employee's particular motivational needs. I feel that this information has assisted me in personnel-related dealings with employees, as well as day-to-day assignments.

Overall office relations have improved. Just knowing others had some of the same problems and hearing their solutions helped also. It gave me the courage to do things which I never would have done before. I especially needed this as I apparently was not a good supervisor. This course helped me to delegate many activities to those under me—something I could never do before. Thom Willard was a fine instructor.

Job was newly created. I was given 14 employees who had never had a boss looking over their shoulder and they resented a new man telling them what to do and what not to do. I took the course to see if I could find some way to reach them without firing and rehiring the entire crew and was quite successful in retaining my help and having a good working relationship. Thanks.

Particularly in the area of planning, directing work flows and job assignments. Also in coordinating work in the different units.

Helped my overall performance as a supervisor and I intend to send my highway foreman to this course at the first opportunity.

More efficiency—less confusion—more self-assurance.

It helped me in setting up a system of planning (organize), so that I could better work with employees. Showed me why a plan was necessary. It also helped me to try to understand the other person's point of view. Looking back into the test, I can still find new and useful ideas.

#### Developing Communication Skills

The approach of identifying and examining several types of communication patterns was to me especially helpful—to evaluate which approach would probably prove most successful in given situations. I have many times in the past six months paused to "think through" the situation in question and tried to make use of information gained in the "Developing Communication Skills" course. I would say it has been very helpful and worthwhile in my work and in community situations.

More aware of importance of effective communication and of training programs which allow people to explore new ideas, evaluate and plan for the future.

The course was "Developing Communication Skills" and it did just that. It provided a framework for using each of the various modes of verbal communication as specific situations demand. It demonstrated how the appropriate mode of communication can expedite getting things done. I have used some of the material in our own in-service training.

Improved ability to motivate and communicate with employees.

#### Effective Writing

The style and type of letters going from office has changed with vast improvement in style and simplicity. The secretaries approve and find letters easier to write. We have had no adverse comments from our readers so assume acceptance of them.

Evaluation and improvement of original writing. Assistance to others in writing. More effective writing. Increased confidence in writing efforts. On the other hand—I find myself mentally revising or critiquing the writing of others. Suggest "others" be invited to seminar!

#### Effective Oral Presentation

It gave me more confidence in what I am doing on my job. It made me more relaxed when I speak or even when I'm talking to someone else. It has helped me communicate using as few words as possible.

I have been able to better relate to the persons I interview daily using the techniques I learned at the training session. Also, I became Chairman of our Regional Staff Advisory Board and have really been able to capitalize on all the points Mr. Anastasi shared with us. I have a long way to go but feel I have learned to be more clear and a bit more at ease.

It gave me the guidance and confidence, that I needed, to speak before groups. Also made it much easier to arrange and discuss the problems pertaining to my work.

It gave me the self-confidence I needed to speak in groups. I can now organize a presentation and be flexible enough to meet the needs of the group if they wish to digress from planned material.

Better working knowledge of expressing my thoughts and getting my ideas clearly to others.

My participation in the course "Effective Oral Presentation" has without question helped me improve my job performance. I not only learned from Mr. Anastasi's excellent presentation but from the experience gained by my participation. My self-confidence was improved by confirming some of my own ideas and learning new techniques.

What other training programs would you like to see presented?

Would like to return to improve in oral presentation as I feel there is so much more to be learned and am very conscious of this need in my work. It was a great session, most helpful.

Some programs in administration.

It was a bit of a strain—so many nights, but would like a 2-day workshop. My employees could also use these.

Problem Solving.

Inter-Personal Relationships. Human Problems in Management Positions.

Course in the simple use of a transit and the laying out of roads for construction purposes.

Am thinking of a local training course in communications in a broad sense—oral—written—interview type. I do not know how much interest could be developed but think all secretaries for schools, towns, etc. should participate.

Effective Listening.

Effective Writing. Something in the area of state fiscal planning in comparison to program planning.

Training in the field of state government as pertains to understanding auditing practices and personnel procedures.

I'll not suggest any at this time, since so far, the training programs have been excellent.

One-day seminar on Public Relations for office personnel. Seminar on Government Fund Application.

One-day seminar on writing for media (newspapers, TV, radio). One-day seminar on getting jobs done (for secretaries, administrators). Diplomacy with the public.

A detailed educational program which deals with training supervisors in the area of mo-

tivation techniques. We find that many supervisors don't know how to approach employees regarding faulty work, loafing, or discipline problems.

I would like to attend the public speaking course. I heard it was very good, tried to enroll in it, but was too late as it was already filled. Would like to see it offered again and contacted when and if it is.

#### SIX-MONTH EVALUATION

The comments from supervisors of participants in IPA training programs

In our effort to determine post-course changes in behavior and on-the-job results for each participant the immediate supervisor, who has previously been advised that his personnel has completed the training program and who is in a position to observe these features, is asked to indicate the results of his observations.

Most supervisors indicated that there were ideas, methods or approaches learned that helped the training participant improve overall job performance. The following are sample responses from supervisors when asked:

In what way did it help improve his/her job performance?

#### Supervision in the Public Service

The employee has been able to demonstrate a greater degree of expertise in planning—particularly as it pertains to staff training activities. Ongoing individual supervisory practice has not improved a great deal to date. Employee can intellectualize the meaning and implication of working in harmony with differing personalities, but is unable to appreciate the dynamics of human behavior to point of implementing knowledge into practice.

Employee has shown better ability to plan his work programs and to manage the proper utilization of his men to accomplish work in a manner which is efficient and in which employees can take pride.

#### Developing Communication Skills

This experience, coupled with similar communications courses thru U of M CED, have helped this employee communicate more effectively with co-workers as well as the public. She is definitely better able to articulate her thoughts and ideas which has resulted in an increased capacity to perform her job well.

Employee has shown a remarkable improvement during the past year. I am sure his time spent at the "Developing Communication Skills" program plus other IPA-sponsored programs he attended, has been most helpful to him and the City. Thank you.

#### Effective Writing

Much of his written material is more concise and legible. His work suggests that he got a lot out of the course.

Employee has applied techniques learned during the effective writing program in reviewing audit reports written by his staff. As a result, audit reports have become clearer, more concise, and easier to work with.

Style and format of correspondence has been improved.

She learned to save time by typing the new form letters and when she returned showed the other girls how to do the same.

#### Effective Oral Presentation

Both individuals seem to be much more at ease when speaking with various groups of people. They have both mentioned to me that they attribute much of their success to the courses which the BPA presented.

This employee definitely appears to be more confident in presenting his material to a group.

More self-confidence—better preparation, clearer delivery, etc. An excellent course I am told and this seems evident in improved performance.

Prior to taking this course, employee has always been involved in oral presentations in

health education. Since taking the course, she has been making many more oral presentations and with noticeably more confidence.

More effective public speaker.

What other training programs would you like to see presented?

Oral communications—Geared towards improving oral instructions to subordinates to insure comprehension of directions.

More oral presentation on a longer or continuing basis. Use of audio-visual aids. Effective use of news media. How to win friends and influence people.

Effective writing.

Communications. Public Relations. Supervisory practice.

Other areas of training that would probably be helpful to this organization are first-line supervisor courses.

More of the same, particularly in the areas of inter-group and inter-personal communications.

Training programs for "non-professional" staff in human behavior, communications, inter-office or personal relations.

#### DR. HENRY KISSINGER AS SECRETARY OF STATE

Mr. PERCY. Mr. President, I commend the President of the United States on his nomination of Dr. Henry Kissinger as his new Secretary of State. Having just returned from South Asia and Europe and having listened to comments from many of my colleagues in the Senate, I feel that this nomination is being virtually universally acclaimed.

Dr. Kissinger has participated actively for the past 4½ years as a principal architect, with the President, on brilliant and creative foreign policy initiatives that have contributed importantly to the prospects for peace in our time.

The admiration of the members of the Foreign Relations Committee for Dr. Kissinger will not cause any restraint, however, on the part of any member to penetrating and searching questioning of Dr. Kissinger with respect to the foreign policy plans and programs—past, present, and future—of the Nixon administration during the course of his confirmation proceedings which begin on Friday of this week.

Dr. Kissinger's relationship in his position as Presidential adviser on foreign policy with the Senate Foreign Relations Committee and with the House Foreign Affairs Committee has been excellent. I feel that he will welcome the opportunity to make clear the objectives of the American foreign policy under the Nixon administration.

I feel that Dr. Kissinger would concur with the comment made to me once by a former Secretary of State, John Foster Dulles, who said:

Undoubtedly the foreign policy of the United States of America can be no better than the understanding of it and the support given to it by the American people.

The purpose of the public hearings is not only to satisfy the constitutional requirement imposed upon the Senate for confirmation proceedings, but also to add to the public understanding.

It is an opportunity for the administration to have the American public better understand the direction in which we are headed in world affairs.

Because many of my colleagues in the

Congress were away during the August recess, I ask unanimous consent that a group of newspaper clippings containing editorial comment as well as observations by some of our Nation's most discerning journalists on Dr. Kissinger's nomination be printed at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Chicago Daily News, Aug. 25-26, 1973]

#### KISSINGER MAKES SENSE

Henry Kissinger's accession to the top Cabinet post puts American foreign policy in expert hands for the critical years just ahead. Nearly all the good things that President Nixon has accomplished on the world scene he has accomplished with the powerful help of Dr. Kissinger. As secretary of state as well as presidential adviser, Kissinger will be well-positioned to advance those programs.

The fact of Kissinger's being until now the chief foreign policy adviser while William P. Rogers was secretary of state has been anomalous, and a handicap to the department. It was frustrating to the lower echelons of professionals in the department—and for Congress—to be remote from the chief policy executive, and frustrating for Kissinger to be remote from the agency responsible for implementing all the decisions he was so intimately involved in making.

Now the implementation of what has already been set in motion with Peking, Moscow and elsewhere will become his specific responsibility, along with assisting the President to formulate new policies that will move the nation forward in the years ahead. In the wake of the Vietnam War that Kissinger played so critical a role in ending, half a dozen global matters clamor for urgent attention—the Middle East, the recurring SALT talks, China, Japan, the tottering West European alliance.

The Senate should speedily approve the Kissinger nomination. There are serious questions it will want to ask him, especially regarding how candid and co-operative he intends to be with Congress. But Kissinger has anticipated that problem and given solid assurances that he will communicate freely and not hide behind executive privilege.

We believe the Senate should take Kissinger at his word, and so should the public, that he will "explain our philosophies, purposes and policies" as he goes along.

Dr. Kissinger is not only a wise and competent statesman, but also he brings to his high task a perspective, inspiration and a sense of dedication that will be of great service in advancing policy abroad and clarifying and strengthening it at home.

[From the New York Times, Aug. 24, 1973]

#### KISSINGER GOAL: TO CLEAR THE AIR (By Bernard Gwertzman)

WASHINGTON, August 23.—Henry A. Kissinger moved quickly today to make known his hope that the final years of the Nixon Administration would be marked by an open foreign policy that would produce less friction with Congress, more information for the American people and some meaningful work for the State Department. The Secretary of State-designate was clearly trying to give substance to President Nixon's appeal yesterday to put the Watergate scandal aside and concentrate on the "business of the people." It is questionable whether the mood of the country will support Mr. Kissinger's call for bipartisan unity in foreign affairs, which, he said, "transcends any particular administration."

But in his news conference today at San Clemente, Calif., Mr. Kissinger certainly

seemed determined to try to use his own prestige as the intellectual catalyst of the Administration to restore confidence in the Government and prevent serious erosion of America's image abroad.

After consulting with Mr. Nixon earlier today, Mr. Kissinger was like a peace-maker, issuing promises, seeking to create a new atmosphere in Washington.

#### PARTNERSHIP WITH CONGRESS

To Congress, instead of the bitter dispute of the past over Indochina, which Mr. Nixon revived as recently as Monday in New Orleans, Mr. Kissinger offered "a new and full partnership" to insure that Congress be involved in the making of foreign policy as well as the approval of it.

To the public and the press, Mr. Kissinger avoided any polemics and promised instead an open-door policy at the new State Department, asserting that "we have an obligation to explain our philosophy and purposes."

And finally, to the State Department's foreign-service officers, a group of talented men whose ability was often scorned at the White House, Mr. Kissinger promised plenty of work and a large share of the foreign-policy load.

In nominating Mr. Kissinger, his adviser on national security, to replace William P. Rogers as Secretary of State, Mr. Nixon has granted the former Harvard professor more individual power than any official has been given since John Foster Dulles ran President Dwight D. Eisenhower's foreign policy.

#### EMPHASIS ON A TUNE-UP

Hours after the nomination became known, State Department officials and others in the foreign-policy Establishment in Washington were speculating on how Mr. Kissinger would handle this new, dual responsibility. If confirmed by the Senate—something that is widely expected—Mr. Kissinger will have the sluggish State Department bureaucracy of 12,000 to direct, along with his own sleek, tailor-made 120-man National Security Council staff.

Details have not been worked out, but Mr. Kissinger indicated today that he did not plan any major overhaul in the foreign-policy machinery. Rather, he placed emphasis on tuning up and getting more mileage out of the old-fashioned department.

Mr. Kissinger referred to the foreign-service officers as "great professionals." He seemed like a football coach when he urged them to see a lot of their wives now because after his confirmation, they will be too busy. His words were meant to relieve anxiety at Foggy Bottom, where some officials were not sure whether Mr. Kissinger's new job meant new opportunities or another purge.

#### TWO SETS OF PROBLEMS

He indicated at the news conference today that he would keep two offices—his West Wing office at the White House and the spacious seventh-floor suite at the State Department. He will probably start his day at the White House, conferring with the President and the National Security Council staff, before riding the five blocks to the department to deal with the day-to-day problems of running the world's largest foreign office.

The problems of the head of the National Security Council and the Secretary of State are not the same.

The council chief is usually concerned with the more heady matters of foreign affairs. A major crisis must be coordinated among key agencies a Presidential speech drafted, a secret negotiation planned and executed.

The Secretary of State, on the other hand, must deal with a dozen mundane problems for every interesting one. Position papers for coffee conferences must be approved, instructions issued to new ambassadors, Boy Scouts greeted, prime ministers of small countries entertained and business men listened to.



Some officials at the State Department have wondered aloud whether Mr. Kissinger, with his dynamic mind and incisive intellect, can stand the regular fare of the department. Mr. Kissinger certainly indicated today that he intended to be an energetic Secretary of State in his relations with Congress, the public, the press, and within the bureaucracy as well.

#### NO MORE MIDDLE MAN

This, in turn, has raised fresh questions about Mr. Kissinger's role in the Administration. As head of the National Security Council he was a sort of middle man when the State Department and Pentagon, for instance, had a dispute over military aid or some other matter. He could take the issue to the President for decision or sometimes act himself for the President.

But what will happen now if Secretary of State Kissinger gets into a dispute over policy with Secretary of Defense James R. Schlesinger?

Does Mr. Kissinger put on his other hat and make a decision whose objectivity might be questioned or does the matter go to someone else in the White House for settlement?

If Mr. Kissinger continues to make decisions for the President, his presence would appear to give the State Department added prestige and importance, but if he cannot, this would seem to weaken his own role as the Presidential adviser for national security.

Mr. Kissinger will probably need some time to work out a coherent policy to handle the problems that will arise in his new assignment. One official predicted today that it would take Mr. Kissinger about six months to answer all the questions now being raised in Washington, a city where style has often seemed more importance than substance.

[From the Washington Post, Aug. 27, 1973]

#### MR. NIXON'S NEW LINE-UP OF ADVISERS

(By Joseph Alsop)

It is ironical, but it is true, that President Nixon owes the Watergate horror for the best-staffed administration he has ever had. No one seems to have remarked upon it, yet it is another major point growing out of Dr. Henry A. Kissinger's promotion to the State Department.

The development is not unprecedented. In the last couple of years of the Eisenhower administration, the President was ill, aging and a lame duck. He could no longer recruit the real, roaring tenth raters from the business world whom he overwhelmingly preferred. People like "Engine Charlie" Wilson would no longer give a passing thought to leaving General Motors, in order to become Secretary of Defense.

So at the end, President Eisenhower had to be content with a Secretary of State, Christian Herter, whom he actively disliked, and a Secretary of Defense, Thomas Gates, with whom he basically disagreed. They were men of real ability and strong national-mindedness. And they prevented the close of the Eisenhower administration from becoming a real disaster, although the second Berlin crisis plainly threatened a disaster.

In the present instance, President Nixon has always shown high personal confidence in his new Secretary of State-designate, Dr. Kissinger and his new Secretary of Defense, Dr. James Schlesinger. The difficulty used to be that such men commanded no confidence at all from the President's chief advisors, back in what may be called the Haldeman-Ehrlichman-Mitchell era.

Or maybe it would be more correct to say that in the pre-Watergate era, the President's immediate entourage wanted as few persons as possible in key posts in government who did not appear to be easily controllable by persons like themselves. Sometimes they were deluded, as when they did not oppose Dr. Schlesinger's appointment to the CIA, or El-

liot Richardson's earlier choice for the Defense Department.

But Richardson as Attorney General would never have met with the old crowd's approval; and he is more equipped to lead the Justice Department than the Defense Department. With Schlesinger at Defense and William Colby replacing him at the CIA one can predict the President has acquired two more star performers for two tremendous jobs.

As for Dr. Kissinger's long overdue appointment, it was a change bitterly opposed within the pre-Watergate White House, mainly for rather sordid reasons. As for the Watergate-generated improvement in the White House itself, it hardly needs discussion. But there is one political point about all this that makes the President's quite undesired gain from the Watergate horror worth a lot of thinking about.

Briefly, the Nixon administration used to rely on muscle to get what it wanted. The liberal Democrats, in turn, generously provided most of the muscle by such fashionable follies as the nomination for the presidency of Sen. George McGovern. With this kind of help from the Democrats, the Republicans in 1972 could have elected an ogre with a long record of cannibalism—provided the ogre just wore a small American flag in his buttonhole.

There is no sign at all, as yet, that the dominant group in the Democratic Party has learned anything at all from the results of their follies. On the contrary, they seem to be Watergate-drunk, in the Senate particularly. Meanwhile, the President, again because of Watergate, has lost most of his former muscle, at any rate in the crucial areas of foreign and defense policy.

In just these areas, the Democratic leaders in the Senate, particularly, are now hoping to have an easy field-day. But they have not noticed some facts of great importance. In these areas, to begin with, the President now has—and for the first time—a united team capable of talking to the country.

One thinks of the first Truman administration in this connection. The Nixon-haters, now, are hardly more violent than the Truman-haters, then. President Nixon's popularity has yet to drop quite so far as President Truman's all-time low. Yet a balky Senate was still forced to accept the great Truman initiatives in the foreign and defense fields, because the country was persuaded by the Marshalls, the Achesons, the Forrestals and the Lovetts.

As yet, the Nixon administration has no potential ally on Capitol Hill of the calibre of that half-comical, half-great man, Sen. Arthur H. Vandenberg, to whom this republic owes an immense, forgotten debt. But if the new Nixon team also proves able to persuade the country, you will see the Nixon administration getting its way on Capitol Hill. Indeed, if the country begins to be persuaded, Nixon allies in the Senate will emerge on all sides.

[From the Washington Star-News, Aug. 24, 1973]

#### KISSINGER VOWS TO WORK FOR BIPARTISAN POLICY

(By Oswald Johnston)

Henry A. Kissinger has virtually assured his Senate confirmation as secretary of State by firmly promising to invoke executive privilege in only a few limited cases and to keep Congress fully informed.

Sen. Mike Mansfield, D-Mont., a personal admirer of Kissinger, who nevertheless had expressed fears that the executive shield which once protected Kissinger from Senate queries would be extended over the new assignment, said in an interview that the secretary-designate's promise would satisfy him and probably most of the Senate.

Raising the traditional call of embattled administrations for a bipartisan "consensus" in foreign policy, Kissinger told reporters on

the Western White House lawn at San Clemente that only private conversations with Nixon would be sheltered by executive privilege once he becomes secretary.

Kissinger's 45-minute exchange with the press—his first since Watergate replaced Indochina as the administration's prime crisis—was as conciliatory in tone as Nixon's Wednesday conference had been tense and challenging.

Kissinger stressed repeatedly the need for discrimination and understanding on the part of Congress and the public in judging the administration's intentions abroad.

In return, he promised a degree of public accountability unheard of in the Nixon administration's first term.

Citing the prior claim of Mansfield and other members of the Senate Foreign Relations Committee to question him first, Kissinger declined to answer many specific questions about the policy the administration says it will submit to public scrutiny from now on. But he did comment on:

Nixon's coming European trip, which he said will not be formalized until after the NATO foreign ministers, at their meeting next month, have had a chance to develop a response to Kissinger's ambitious call for a "new Atlantic Charter"—now scaled down to a more modest "declaration of principles." "We can expect that when the President goes to Europe, it will be for a significant, substantive result, and not simply on a grand tour," Kissinger said.

The recent shortages in the United States of fuel, feed-grains and other natural resources. He said they have been the subject of a full-dress inter-agency study by his National Security Council staff. Energy and food shortages, he said, "have profound consequences for the conduct of our foreign policy, and the NSC study is to examine how over the next five to ten years world needs and American productivity could be brought into some relationship."

The moribund U.S. policy in the Middle East. It may, he said, present a "less than restrained profile" should U.S. interest demand it. Asked to comment on Arab charges that his Jewish background could influence his judgment, Kissinger retorted sharply: "I am asked to conduct the foreign policy of the United States, and I will conduct the foreign policy of the United States regardless of religious and national heritage."

Kissinger's main theme was conciliation, and it was repeated in almost every topic he discussed.

The Watergate case, Kissinger conceded, has developed far beyond the point it had reached last April, when he pleaded publicly that there be no "orgy of recrimination." The danger now he warns, is, "if the divisions in a country grow too deep, . . . then the conduct of foreign policy will be affected."

With the passing of the Cold War era and the deep division of the Vietnam war, American policy needs have become more complicated, Kissinger said. Detente now exists side by side with continuing and fundamental East-West differences, and the need for continued military spending and weapons development co-exists with arms control treaties.

"This requires a complexity of thought and a sophistication on the part of the American public that was not called for in the '40s and '50s" Kissinger explained. "Therefore, one of the prime objectives of the administration will have to be to create a consensus in which the American people and the American congress can understand and will support" new policies.

In all this, the audience Kissinger sought to reach was plainly Congress. He began the session with a statement that carefully went to the heart of the only serious problem he might have faced in the Senate: The fear that executive privilege would be invoked

to cover Secretary Kissinger even as adviser Kissinger had been covered for the past 4½ years.

Kissinger spelled out his promise: "I will testify about the matters about which secretaries of State have traditionally testified," and also "about those inter-departmental matters with respect to which I spoke informally previously to the Senate Foreign Relations Committee."

On direct orders from Nixon himself, "whom I have seen only a few minutes ago," Kissinger said, "executive privilege will not be invoked" except with respect to "personal conversations between the President and myself" and "direct advice I gave to the President."

[From the Washington Star-News, Aug. 24, 1973]

#### KISSINGER FLOATED AS NIXON LIFELINE (By Mary McGrory)

The announcement that Henry Kissinger will become the official Secretary of State, after five years of actual service in the post, failed to achieve its immediate purpose. It did not evoke a single question from the press.

The President's resentment surfaced after thirty minutes of all-Watergate queries. "... Years from now, people are going perhaps to be interested in what happened in terms of the efforts of the United States to build a structure of peace in the world."

The President has always been baffled by the inability of the press corps to share his voracious interest in foreign policy, which he regards as the glory of his administration, and now, his lifeline in Watergate.

At the Ervin committee hearings, White House aide Richard Moore recounted the President's bewilderment about his March 15 press conference, when his news that David Bruce would be going to Peking as permanent liaison was treated like the weather report.

The first question then was about the President's temporary refusal to let John Dean testify before the Senate.

And so it was when Kissinger's long-expected lateral transfer to Foggy Bottom was made formal. The first reporter the President recognized at San Clemente was inquiring about the tapes.

It was not a plot. People simply cannot focus on the appointment of a new fire chief in the middle of a three-alarm blaze.

Nixon doubtless had high hopes of the diversionary nature of the Kissinger move. His chief foreign policy adviser is magic with the press. Nixon has doubtless noted that while the roof was falling in on the Oval Office, Kissinger managed to get into print with solemn interviews about his "torment" that Watergate might interfere with the grand design of foreign policy.

Kissinger's reputation as a scholar among White House hardhats, a humanist among bullies, has survived everything: The news that he wiretapped his own staff, that he advocated the Christmas carpet-bombing and the "tilt towards Pakistan."

Even during the uncertain closing hours of the campaign, when Kissinger was brought forward for one of his rare televised appearances to say "peace is at hand," the suspicion of political trickery was stilled in many quarters by the thought that Kissinger would never allow himself to be used for political purposes.

He has led a charmed life in the White House and in the capital. He was permitted to fraternize with those circles in Washington whom John Ehrlichman indignantly described as "people who scoff at family life and patriotism." His popularity in Georgetown, where he was often heard to warn the liberals of their "intransigence toward Richard Nixon," played its part in the acquiescence of influential journalists in the

extended and convoluted process of achieving "peace with honor."

Kissinger seems delighted with his new official eminence, despite the grim circumstances surrounding it. He sounded the "only-in-America" theme at his first press conference. The transformation of the secret agent into department head has stirred conjecture. How will he like sitting around the table in full view of the world instead of darting to the airport in the dark of night for the rendezvous with Chou-En-lai?

No doubts exist about Kissinger's ability to surmount and outmaneuver the vast bureaucracy over which he is to assume formal control. He will doubtless use the same practices which made him transcendent in the White House.

He will reserve for himself access to the President and to the press. He will be the one channel in an out of the Oval Office.

Kissinger's promise of "full partnership" with Congress and the public in the conduct of foreign policy stirred hollow laughter here and there. He is regarded with awe on Capitol Hill. And unlike his predecessor, William P. Rogers, he will be taken seriously.

He will bring to a waterlogged administration some help. Kissinger still has a constituency at Harvard and in the camp of Nelson Rockefeller, his dear friend and first patron.

The left likes him because he talks in perfect sentences and paragraphs and makes the right sounds about "compassion." The right likes him because he shares their essential belief that in a dangerous world might makes right.

[From the Washington Post, Aug. 29, 1973]

#### KISSINGER AND THE BOMBING (Rowland Evans and Robert Novak)

Although eventual Senate confirmation of Dr. Henry A. Kissinger as Secretary of State is not in doubt, President Nixon's ace diplomatic operative is going to be pressed hard on the secret U.S. bombing of Cambodia in 1969 when the Senate Foreign Relations Committee starts its hearing Sept. 7.

The fact that President Nixon, in his Aug. 20 speech at New Orleans, took full responsibility for the Cambodian bombing decision has not in the slightest diminished the senatorial appetite for a full-scale expose of how the decision was made and whether Kissinger himself will be able to justify it.

One reason: even senators completely committed to confirming Kissinger are troubled by his future dual role as Secretary of State and also as the President's White House foreign policy adviser, in charge of the National Security Council staff.

Their question: will Kissinger give them the full background of the March 1969 decision to bomb Cambodia or will he claim executive privilege on grounds of his confidential relationship with the President? If the latter, Kissinger will risk raising senatorial hackles at a time when congressional suspicion of presidential power and secrecy has reached its high point of at least the last 50 years.

Moreover, what gives the Cambodian issue special spice is the fact that high officials now in the Defense Department, most particularly Deputy Secretary William P. Clements, left the impression with the Senate Armed Services Committee and the nation on Aug. 9 that the orders to falsify bombing reports in order to maintain total security had emanated from the Pentagon.

Clements, in fact, actually produced a now widely published document authorizing 14 B52 strikes into Cambodian border areas adjacent to South Vietnam on the nights of Nov. 24-25 and Nov. 29-30, 1969. The document, which Clements indicated was the only one he could find in Pentagon files on the Cambodian bombing, bore the signature of Gen. Earle G. Wheeler, then, chairman of the

Joint Chiefs of Staff, and the initials "MRL" or Melvin R. Laird, the then Secretary of Defense. It was marked "top secret—eyes only" and dated Nov. 20.

So astonished was Democratic Sen. Stuart Symington of Missouri, acting chairman of the committee, when Clements produced this document that he telephoned Laird in Chicago (where he was addressing the National Legislative Conference) and warned him: Mel, they're trying to do you in up here.

As a former Air Force secretary, Symington knew neither Gen. Wheeler nor Laird had authority to falsify bombing reports. Only the President himself could order an official coverup of bombing operations against a neutral nation, together with the falsification of reports essential to make that cover-up work.

At the White House itself, the disclosure by Clements was received with amazement and chagrin. Clements' decision to finger Laird as chief villain in the hunt for Cambodia scapegoats was not appreciated, even though some cynics at first thought that Clements must have had White House authorization before producing the "top secret—eyes only" memorandum.

In fact, he had none at all. Clements, an aggressive Texan who had hoped to be named deputy defense secretary in 1969 (Laird chose David Packard instead), was operating on his own and apparently without the support of the Joint Chiefs of Staff.

Thus, the key document justifying the secret bombing policy was written not on Nov. 20, 1969, the date of Clements' memorandum, but the previous March 16—just before the secret bombing started.

It spelled out the entire "press guidance" secrecy policy for the military to follow. One copy of this key document, obviously top secret and with limited distribution, is in the Joint Chiefs' files. However, Adm. Thomas H. Moorer, present chairman of the Joint Chiefs who was testifying with Clements Aug. 9, the day Clements disclosed the Wheeler-Laird memorandum, did not give Clements the Joint Chiefs' own record.

The real push for the Cambodian secrecy policy in 1969 came not from Laird and Wheeler but from the diplomats—the State Department and Kissinger—who knew that disclosure would gravely compromise the then Cambodian government of Prince Sihanouk.

The Senate will insist on all the intimate details from Kissinger. If he refuses them, his transition to the No. 1 Cabinet post will have some rocky spots.

[From the Washington Post, Aug. 23, 1973]

#### CHANGES AT THE STATE DEPARTMENT

It makes sense for Henry Kissinger, until now Mr. Nixon's assistant for national security affairs, to become Secretary of State, and not merely because he has dominated the diplomacy of the Nixon presidency anyway. A tight White House foreign-policy operation served the President's first-term focus on secret contacts with a few adversaries, but only the State Department apparatus can help Mr. Nixon pursue his second-term need for broader, more diverse exchanges with a much wider range of partners. While Mr. Nixon's prime first-term task of withdrawing the United States from Indochina was carried out amidst high congressional-executive tension, his necessary second-term emphasis on trade negotiations and defense spending require considerable congressional-executive consensus. If confirmed as Secretary of State, Dr. Kissinger not only would become available to congressional interlocutors, but Congress would come equally within the reach of his formidable powers of exposition and persuasion. Finally, by having at State a chief with the President's confidence and with great personal stature and talent, the department should be enabled to recoup its sunken



prestige and morale. The country will have better assurance that considerations of diplomacy will be fairly weighed in the knot of economic, political and strategic problems ahead.

Some organizational purists may be offended that Dr. Kissinger retains his White House hat, although his National Security Council staff can hardly retain the particular function and special significance which President Nixon gave to them in his first term. Other departments concerned with international decision-making may wonder if State will not now take on excessive influence. The arrangement is something on an anomaly; students of power and bureaucracy in Washington will surely keep a beady eye on it. Our view is that there is no special magic in any one particular way of organizing the executive branch to conduct foreign affairs. No one should be better situated to decide how he wishes to organize his administration for that purpose than a second-term President who has concentrated on foreign policy.

Departing Secretary of State William P. Rogers, for reasons not entirely of his own making, did not function at the center of administration policy. He entered and left office with the hope of helping create among Americans "a new national unity and purpose in our foreign policy." Less a specialist in international relations than a man of keen insight into domestic requirements, he made a comment last Monday—in evident anticipation of his imminent resignation—which can perhaps serve as a valedictory for his nearly five years as Secretary of State. "I believe," he said, "that it is very important for the United States not to become so obsessed with security matters that laws are freely violated. I think one of the things that provide security for Americans is the fact that we are a law-abiding nation, and that is protection for all individuals, and a protection for individual rights." These are the words of a wise and honorable and decent man. They deserve to be pondered by Mr. Rogers' successor at State and by his erstwhile chief at the White House too.

[From the Washington Post, Aug. 28, 1973]

#### SENATE HURDLE FOR KISSINGER

(By Marquis Childs)

Having supplied the creativity, the imagination and the skill in the conduct of foreign policy for four years, Henry A. Kissinger is now about to move into the top job as Secretary of State. From mastermind behind the screen of executive privilege to the exposed position in the number one Cabinet post, the transition will not be easy.

His friendly relationship with Chairman J. William Fulbright and other members of the Senate Foreign Relations Committee would seem to insure his quick confirmation by the Senate. And as the President pointed out, that is important because of Kissinger's travel plans. He had hoped to go to Peking sometime during the first two weeks of September for a session with the leaders of the People's Republic, thereby continuing his friendship with Premier Chou En-lai.

But when he comes up for his confirmation hearing, there is one hurdle he will have to clear in view of the fact that he will continue to be personal adviser to Mr. Nixon as well as Secretary of State. Can he claim executive privilege for his discussions with the President at the same time that, as Secretary, he must testify before committees of Congress? This is what some senators on the Foreign Relations Committee will want to know from Kissinger when he comes before them. To equivocate in his answers could put his confirmation in jeopardy. Repeatedly the same senators have complained that the decision-making process rested with the President's adviser rather than with the retiring Secretary, William P. Rogers, and that, therefore, they were denied any insight

into the conduct of foreign policy. The feud over executive privilege has been the source of rancor and resentment.

Another looming question mark will be the nature of the number two man in the Department. Kissinger has administered his small apparatus in the National Security Council as a stern taskmaster. So stern in demanding a 14-hour day and unquestioning obedience, he has alienated able men who could not, or would not, keep up that pace.

The huge bureaucracy at stake cannot be administered that way. The plain truth, as those who know him well and admire him greatly are frank to say, is that Kissinger is not an administrator. That means his deputy secretary must have full authority to carry out Kissinger's overall directives on personnel and policy.

Morale in the Department and in the Foreign Service has slumped badly as Secretary Rogers seemed again and again to be superseded by the President's adviser on national security. Able Foreign Service officers with invaluable experience have resigned, to the loss of the Service and the nation. One reason was the increasing number of ambassadorial posts filled by political appointees who were big contributors to Republican campaigns.

Today in the capitals of Western Europe only two minor ambassadorial posts are held by career officers. So much must be done to catch up with the lapses of the past. The United States, for example, has had no ambassador in the Soviet Union since last January when Jacob Beam, a career ambassador, resigned.

This may not have mattered when the vital decisions were being made by Kissinger & Co. in the White House. Perhaps for that reason, no man of stature could be interested in a post largely ceremonial in nature under the stresses and strains inevitable in Moscow. The cloistered operation out of his capacious and brilliant mind will surely not be possible in the large, impressive office of the Secretary in the unimpressive, factory-like building of State in Foggy Bottom.

The drama of his appointment is in itself extraordinary. In 1938, he was one of the small number of Jewish refugees to escape Hitler's cause. He has said that 11 members of his family were liquidated by the Nazis. It is a grim past that must always be present in his memory as he moves through the corridors of power.

The consequences of Watergate and the threat of disruption of the initiatives taken so successfully with China and the Soviet Union have greatly depressed him. With his rich knowledge of history and the follies of the past, as they have far too often overwhelmed man's noblest aspirations, the glooms have fallen on him.

But he has a flexible spirit and, above all, a superb sense of humor. He will need all resources of his remarkable mind, a genius really, and his resilient spirit, as he walks a narrow path between the thunder of a critical Congress and the sun of his patron and friend, the President. It is a new career for the scholar who, little more than five years ago, was an adviser, a kibitzer, to the rich and the powerful.

[From the New York Times, Aug. 24, 1973]

#### EXCERPTS FROM KISSINGER'S NEWS CONFERENCE

First, I wanted to say that the President has done me a great honor to nominate me for a position that was held by such great Americans as Secretary Stimson, George Marshall, Dean Acheson, John Foster Dulles—all of whom were united in one basic approach: that the foreign policy of the United States is not a partisan matter. It concerns the whole nation. That the future of our country transcends any particular administration. That is the spirit in which, if the Senate confirms me, I will attempt to conduct the office of Secretary of State.

I would also like to say a few words about

the outgoing Secretary of State, William Rogers.

Many of you for four and a half years have commented about the difficult relationship between the White House staff and the Secretary of State.

And it is, of course, true. You wouldn't believe me if I said anything else, that there is an institutional problem when there is a strong White House operation and a strong Secretary of State, which is one reason why we have combined these positions now.

#### MINIMUM OF DIFFICULTIES

I would like to say, on this occasion, that these difficulties, which are inherent in the arrangement, were at an absolute minimum. The Secretary of State has conducted his affairs with enormous dignity, grace, wisdom and, above all, humanity.

I had a long talk with him on the telephone yesterday and I look forward to his continued advice and participation in the policies in which he played such a large role, in which he was perhaps more instrumental in shaping than he often received credit.

Now, let me say a few things about what is ahead.

Any administration wants to leave the world better than it found it, and the most important challenge before our country in the field of foreign policy is to bring about a stable peace.

#### REVOLUTIONARY CHANGES

In the first term of the President, many important and some revolutionary changes were made. These required to a considerable extent secret diplomacy, and they were conducted on a rather restricted basis.

But now we are in a different phase. The foundations that have been laid must now lead to the building of a more permanent structure. What has been started is still very tender. If you think back, it is only three years that we had simultaneous crises in the Caribbean, in the Middle East, and on Berlin.

It's only two years that we first opened relations with the People's Republic of China. And in the same period relations with our traditional friends have undergone enormous transformation.

So what we are going to try to do is to solidify what has been started, to put more emphasis on our relationship with Europe and with Japan, and to conclude during the term of the President the building of a structure that we can pass on to succeeding administrations so that the world will be a safer place when they take over.

Now this requires that there be a greater institutionalization of foreign policy than has been the case up to now.

#### PLANS MORE INTERCHANGE

The role of the National Security Council staff will continue to be interdepartmental, there will be a greater exchange between the State Department and the National Security Council staff and personnel than has been possible up to now, but the details of this I would like to defer until after the confirmation.

Another important aspect in the institutionalization of foreign policy will be to bring the Congress into a close partnership in the development, planning and execution of our foreign policy.

Yesterday I called every member of the Senate Foreign Relations Committee and key members of the House Foreign Affairs Committee, and I told them all what I am saying to you ladies and gentlemen today.

The foreign policy of this Administration is designed not on a partisan basis but on a national basis. And it is essential that the Congress fully understand what we are attempting to do. Even in my present position as assistant to the President, I met regularly with the Senate Foreign Relations Committee, at first in Chairman Fulbright's house, and later in a committee room in the Senate,

at first on a very informal basis but later with very full notes being taken by the committee staff.

#### PLANS TO TESTIFY OFTEN

I therefore welcome the opportunity of being able to testify regularly and as frequently as the chairman and the members of the committee consider desirable about the purposes and policies of the President and the Administration.

There has been some question about whether dual positions of assistant to the President and Secretary of State may cause me to invoke executive privilege. Let me answer this now.

The purpose of combining the two positions is, as the President pointed out yesterday, an attempt to move policy-making from the White House into the department and therefore to make it more accessible to Congressional and public scrutiny.

I would therefore expect to testify about all matters that secretaries of state have traditionally testified. In addition, I would feel it appropriate to testify about those interdepartmental matters with respect to which I spoke informally previously to the Senate Foreign Relations Committee.

I would not be able to testify about personal conversations between the President and myself, or about direct advice I gave to the President. But I could not testify with respect to this in any event, and no Cabinet member is ever asked to testify with respect to conversations he has with the President.

#### TO INCREASE INFORMATION

So I know the President's intention in combining these two positions is to increase the information available to the Congress. And the President, whom I have seen only a few minutes ago, has asked me to say that executive privilege will not be invoked except with respect to the range of issues that I have mentioned, the practical consequence of which will be that more information will be available to the Congressional committees than before.

Now a word about the relationship of the department and of our foreign policy to the public. If we are going to achieve the lasting peace which we seek and if we are going to leave behind a foreign policy tradition that will be carried on on a nonpartisan basis in succeeding administrations, we have an obligation to explain our philosophies, purposes and policies to the public.

After my confirmation I intend to invite leaders of various opinion-forming elements in this country to the State Department to advise us on how they can most effectively discharge this responsibility.

We will do our best to conduct foreign policy in as open a manner as is consistent with the goals which we all share, which is to bring about a lasting peace.

#### REPLIES TO QUESTIONS

##### CAMBODIAN BOMBING

The question is whether there were fighter-bomber raids closer to Phnom Penh than 10 to 15 miles. I'll take this question but I'm sure that the Senate will also want to ask about it, and therefore I don't want to go into all the details. And also I haven't consulted all the records, but the B-52 operations were confined to an area within 10 miles.

Occasionally—but I think very rarely—there were some tactical air operations when there were military activities on one side of the border that continued in which the sequence of military operations continued across the border, and in the pursuit of them occasionally—but very rarely—some tactical air operations took place.

They could have been deeper than 10 miles, but I doubt if they were very much deeper.

##### IMPACT OF WATERGATE

Now your other question on the impact of Watergate on foreign policy. The foreign countries have to assess what sort of a coun-

try they're dealing with, how steady it can be in the carrying out of its commitments and the degree of authority possessed by its leaders. To the extent that these are affected, there is a long-term effect on foreign policy.

Our intention will be, as I stated prior to this appointment, to emphasize both aspects of foreign policy on which most Americans agree—to carry out a foreign policy that has the widest possible support on a bipartisan basis. And since I'm confident that that can be achieved, I believe that the effect of Watergate on the conduct of foreign policy can be minimized.

I was asked very early in the Watergate affair, at the end of April, whether it might have an effect on foreign policy.

At the time, one's knowledge of it was confined essentially to the break-in of Democratic campaign headquarters. At that time I said that if an orgy of recrimination set in, it might have an effect on foreign policy.

There is no question that if the divisions in a country grow too deep, then the conduct of foreign policy will be affected. And then, people have to decide whether it is—whether the issues on which they are being divided are worth it.

On this I'm not now taking a position. I'm just stating the facts analytically.

#### CONSENSUS ERODING

Now it is true that the consensus on which foreign policy was conducted in the late nineteen-forties and through the fifties and sixties is eroding in part because the conditions in the world have changed so enormously.

In the late nineteen forties and in the nineteen fifties, foreign policy was essentially designed to prevent what was munism from entirely over-running the world. Today, we are getting a foreign policy in which at one and the same time we are engaged in—with the Soviet Union and the People's Republic of China, and on the other hand, we are trying to strengthen the traditional friendship with Europe and Japan.

On the one hand, we are \* \* \* adequate defense budgets, and on the other we are conducting negotiations for the limitation of strategic arms. This requires a complexity of thought and a sophistication on the part of the American public that was not called for in the forties and fifties.

We've had the legacy of a war that bitterly divided Americans. And that has to be healed. And therefore one of the prime objectives of the \* \* \* be to create a consensus in which the American people and the American Congress can understand and will support the necessity of carrying on adequate defense programs and disarmament negotiations.

#### THE MIDDLE EAST

The President has repeatedly stated that the Middle East is an important area, and perhaps the most dangerous area, and I will pursue, under the President's direction, those policies which are considered necessary, and in the past that has sometimes meant a less than restrained profile.

I'm asked to conduct the foreign policy of the United States and I will conduct the foreign policy of the United States, regardless of religious and national heritage. There is no other country in the world in which a man of my background could be even considered for an office such as the one to which I have been nominated, and that imposes on me a very grave responsibility which I will pursue in the national interest.

#### GRAIN SALES

With respect to the grain sales, I think it is important to understand that there are major areas of American foreign policy, or let me rather put it, of the American position in the world in which our approach and realities are fundamentally changing.

For example, for the entire postwar period and the entire first term of this Administration, it was considered axiomatic that the

United States could never sell too much grain. The entire farm policy and the entire foreign policy as it was expressed—as it related to agricultural policy proceeded from the assumption that with our huge surpluses and our huge productivity we could stand for free markets. For our almost entire postwar history we have considered ourselves more or less self-sufficient in raw materials.

Now we find a greater dependence on foreign sources for energy. We find that for the first time because of a combination of factors there is a shortage of American food for export, and this has profound consequences for the conduct of our foreign policy when free access to foreign markets had been one of the cardinal tenets of our policy previously.

So what we have to change first is our traditional approach, and we have started prior to this appointment already a study on an interdepartmental basis in this Government to examine how over the next five to 10 years world needs and American productivity could be brought into some relationship.

#### DEPARTMENT OPERATION

I plan to maintain an office in the White House and to spend some of my time in the White House on interdepartmental matters and on being available to the President.

I would expect that some of my associates would join me in the State Department to ease the cultural shock, and I also would expect that some of the head people in the State Department would move to the White House in order to see the interdepartmental operations from a White House perspective.

But we would keep the energy structure in place for interdepartmental business and for the Presidential business.

We would hope to give even more vitality to the operation of the State Department. And I can only reiterate that if what has been done can be built on, and if it is to last, it must engage the commitment of the professionals who will have to carry on over a period of time. And this will be one of my principal purposes at the State Department.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. The time for morning business has expired.

#### TREASURY DEPARTMENT, POSTAL SERVICE, EXECUTIVE OFFICE OF THE PRESIDENT, AND CERTAIN INDEPENDENT AGENCIES APPROPRIATIONS, 1974

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to the consideration of Calendar No. 357, H.R. 9590, which will be stated.

The legislative clerk read as follows:

A bill (H.R. 9590) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain independent agencies for the fiscal year ending June 30, 1974, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

The PRESIDING OFFICER. The time for debate on the bill is limited to 2 hours, to be equally divided and controlled by the majority leader and the minority leader, or their designees, with time for debate on any amendment in the first degree limited to 1 hour and debate on any amendment to an amend-



ment, debatable motion, or appeal limited to ½ hour.

Mr. MANSFIELD. Mr. President, I yield control of the time allotted to me to the distinguished Senator from New Mexico (Mr. MONTROYA).

The PRESIDING OFFICER. The Chair recognizes the Senator from New Mexico.

Mr. MONTROYA. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. On whose time?

Mr. MONTROYA. On my time.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MONTROYA. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MONTROYA. Mr. President, I yield myself such time as I may require.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. MONTROYA. Mr. President, H.R. 9590, the Treasury, Postal Service, and general Government appropriations bill for fiscal year 1974, now before the Senate, recommends total appropriations in the amount of \$4,823,166,000 which amount is \$1,014,300,000 under the appropriations for fiscal year 1973; \$78,179,000 under the budget estimates for fiscal year 1974, as amended; and \$21,557,000 under the bill as passed the House of Representatives in the amount of \$4,844,723,000.

In addition to the above sum of \$4.8 billion recommended by the committee, the bill involves an additional \$44,339,893,000 of permanent authorizations which do not require annual appropriation action by the Congress, and these are listed in the tabulation commencing on page 40 of the committee report before the Senate. The committee has absolutely no control over permanent authorizations which represent commitments made and which must be met. Members will note that the largest item under permanent authorizations is \$27.5 billion, the estimated interest on the public debt for 1974. This is an increase of \$3.3 billion over the fiscal year 1973 level.

The permanent authorizations also include funds that enable the Internal Revenue Service to make refunds on overpayments of personal income taxes, the Bureau of Customs to reimburse Puerto Rico and the Virgin Islands for customs duties collected for the islands, payments to the civil service retirement and disability fund, and so forth.

Senate Report No. 378 is before each Member, and beginning on page 42 is a tabulation which gives a complete comparison for each item in the bill. I will confine my remarks today to the significant changes which have been recommended by the committee, and I will be happy to answer any questions any Member may have during the course or at the conclusion of my remarks.

Under title I of the bill, recommendations for the Treasury Department total \$1,746,402,000. This is \$3,348,000 under the House-passed bill; \$49,307,000 over the fiscal year 1973 appropriation; but

\$16,483,000 under the budget estimates for fiscal year 1974.

The largest increase under this title applies to the Internal Revenue Service for which the committee recommends a total appropriation of \$1,185,117,000, an increase of \$35,890,000 or 3 percent over 1973. This increase is composed of an additional \$12,400,000 allowed for the accounts, collection, and taxpayer service; and \$23,303,000 additional for compliance activities over 1973.

An increase of 1,642 additional permanent full-time employees is recommended and authorized to permit the Internal Revenue Service to cope with the growth in population, economy, and workload.

The accounts, collection, and taxpayer service combines the delinquent accounts and returns activity—formerly of the compliance appropriation—with an expanded taxpayer service program and the activities of the former revenue accounting and processing appropriation.

The compliance appropriation provides funds for the activities which are primarily responsible for promoting high voluntary compliance with the tax laws and for carrying out the law enforcement programs assigned to the Service.

I wish to mention at this point that the committee conducted special hearings earlier this year on the Internal Revenue Service's taxpayer assistance and compliance programs. The objective was twofold: First, a desire by the committee to have the Internal Revenue Service be as helpful as possible to the taxpayer while also maintaining its role of seeing that all taxpayers pay their taxes in a fair manner; and second, an attempt to have the IRS develop procedures whereby certain inequities which exist in the administration of the tax system would be eliminated.

The committee feels that the hearings on the Internal Revenue Service were informative as well as constructive. These special hearings raised several points and presented recommendations which the Service was requested to explore. The committee is pleased to learn that the IRS has studied these items and instigated programs that will better serve the taxpaying public.

I submit at this point for the record, a brief résumé of these recommendations and their status, which appears on page 11 of Senate Report No. 378.

There being objection, the résumé was ordered to be printed in the Record, as follows:

1. The Committee requested that the Service present taxpayers undergoing audit or collection with a brief written explanation of the procedure. The purpose of this notice would be to identify taxpayer rights, obligations, appeal procedures, names of supervisors who will entertain complaints, and whether or not they are suspected of a crime. The Service has informed the Committee that it has revised its initial audit notification letter to taxpayers indicating (a) why the taxpayer is being contacted; (b) why the action is necessary; (c) the audit procedure; (d) the appeal rights; and (e) a statement that the examination does not imply dishonesty or suspected criminal liability. Also, the Service assured the Committee that these items would be stated orally at the beginning of an audit.

2. The Committee called for IRS to pro-

vide taxpayers with an understandable booklet setting forth IRS procedures, on tax enforcement. The Service is preparing this booklet as well as other pamphlets, news articles and films which will help taxpayers understand the tax laws.

3. In complying with the Committee's request to simplify audit and collection forms, the Service has updated and revised these forms—many will be distributed to field offices soon—to improve the taxpayer's understanding of Service procedures.

4. The Service recognized the importance of informing taxpayers of their rights as noted by the Committee. Therefore, the Service prepared new instructional material reinforcing this principle and revised letters to taxpayers under audit detailing their appeal rights.

5. An important concern of this Committee was the possibility that production goals measured an individual's career progress. The Service assured the Committee that, since 1961, it has prohibited the use of individual production statistics as a means of evaluating employees. To emphasize the Service's position, it is revising policy statements to ensure that quantifiable production measurements are not used to evaluate or promote employees.

6. The Committee recommended that IRS review its appeals procedures with the idea of streamlining the process to abate the expense and confusion that exists. The Service informed the Committee that a special effort is being made to see that taxpayers understand the examination process, appeal rights, and options that are available to them, including processing of small cases in the tax court.

7. The Service, in response to the Committee's request, has taken several steps to improve the instructional approach and technical content of the training given Taxpayer Service Representatives. The IRS, reportedly, is also continuing to improve the training of Revenue Officers and Revenue Agents with new materials and a strong emphasis on taxpayer relations.

8. The Committee expressed concern toward IRS's compliance with the Freedom of Information Act. As a result, in the past few months, the Service has accelerated its effort to comply with the Freedom of Information Act. A policy statement has been revised to guide officials in evaluating requests for information; authority to classify material as being unavailable to the public is now limited to fewer officials; and, the bulk of the IRS manual, plus statistical publications and training materials, are on the public reading room shelves. Regardless of the outcome of litigation relating to the publishing of all private rulings and technical advice, the Service has assured the Committee that it will undertake to communicate its interpretative positions and its guidelines and "rules of thumb" more widely and effectively.

The Committee expects that the Internal Revenue Service will pursue other Committee recommendations with equal vigor and report thereon to the Committee as soon as possible.

Mr. MONTROYA. For the Bureau of Alcohol, Tobacco and Firearms, previously administered by the Internal Revenue Service, funds are recommended in the amount of \$73,000,000, the budget estimate, for fiscal year 1974. This amount is an increase of \$1.5 million over the House allowance.

The functions that this bureau performs are of great importance and the committee believes that the full amount requested should be allowed. Further reductions in the illicit liquor program could severely reduce effective law enforcement in this area and the committee believes that now is not the time to reduce this particular agency.

For the Bureau of Customs, recently renamed the U.S. Customs Service, the committee recommends an appropriation of \$221,200,000, an increase of \$7,500,000—3.4 percent—and 181 additional positions over 1973. Additional vehicles, aircraft, and improved detection and other technical equipment to enable the Bureau to control more effectively the illegal importation of narcotics and other dangerous drugs were allowed by the committee.

For the U.S. Postal Service under title II of the bill, the committee concurred with the House and recommends an appropriation of \$1,373,000,000 for payment to the Postal Service Fund, a decrease of \$96,000 under the estimate.

As stated in prior reports, it is the sense of the committee that Congress made its determination as to rates in the Postal Reorganization Act of 1970, and that nothing in this appropriation is intended to disturb that determination.

Like the House, the committee, as in the past, declines to earmark any of the funds recommended to be appropriated for any specific purpose, as the Congress is no longer in the ratemaking business; however, the bill provides for the transfer of \$142,333,500—or half of the request—from the Postal Fund to the Civil Service Retirement and Disability Fund for increases in unfunded liability which result from increases in pay and retirement benefits authorized for Postal employees on or after May 1, 1971.

The Postal Service insists that the Congress should appropriate for the contribution, and OMB insists that the Postal Service should pay it. The fact is that a payment must be made soon and the committee feels, as does the House, that the amount recommended is sufficient for the present or until such time as the matter is resolved by the Post Office and Civil Service Committees of the Congress.

Under title III—Executive Office of the President—a total appropriation of \$249,633,000 is recommended. This is \$480,213,000 under the prior year's appropriation, and \$27,091,000 under the budget estimate. The decrease from 1973 results from the fact that a total of \$592.5 million was appropriated for Disaster Relief in 1973 and only \$100 million was requested in the 1974 budget. NOTE.—Budget amendment of August 7, 1973, proposes an additional \$300 million.

For Disaster Relief, the committee recommended \$100 million. The \$100 million budget request represented an estimate of need based on the incidence of major disasters at the time the 1974 budget was submitted. Since that time however, 36 major disasters in twenty-six States have been declared and subsequent to the committee's action on the bill a budget amendment was transmitted to the Congress by the President requesting an additional \$300,000,000. I will offer an amendment at the conclusion of my remarks in connection with the aforementioned budget amendment.

Included under this title is the Special Action Office for Drug Abuse Prevention, for which the committee recommends a total of \$55,000,000, an increase of \$3,144,000 over fiscal year 1973 and \$8.5 million over the House, but \$10 million

under the estimate. This Office supervises and directs drug abuse programs formerly scattered among many Federal agencies and, hopefully, will effectuate a coordinated, unified attack on drug addiction and its degrading effects. The increase allowed over 1973 provides for funding 133 man-years of employment and for treatment expansion and new contracts with single State agencies and establishing central intake facilities at several large cities.

#### OFFICE OF MANAGEMENT AND BUDGET

The committee recommends an appropriation of \$19,100,000 for the Office of Management and Budget, a decrease of \$500,000 under the fiscal year 1973 appropriation, and a decrease of \$500,000 in the amount requested.

Certain management and policy functions together with personnel were transferred from the Office of Management and Budget to the General Services Administration pursuant to Executive Order 11717 of May 9, 1973. The total annual cost of the transfer is estimated at approximately \$1,000,000. OMB did not make corresponding adjustments in its budget request and personnel ceiling. The committee has taken this action into consideration in making its recommendation and feels that the funds recommended are sufficient to continue the employment of personnel at last year's level.

#### GENERAL GOVERNMENT

For agencies under title IV—General Government—a total appropriation of \$1,454,131,000 is recommended. This is \$546,394,000 under the prior year's appropriation. This large reduction results from the change in funding for Federal construction projects from direct appropriations to lease purchase contracts under the Public Buildings Amendments Act of 1972.

#### CIVIL SERVICE COMMISSION

For salaries and expenses of the Civil Service Commission, a total of \$65,774,000, the budget estimate, is recommended. These funds provide for first, keeping personnel policies current; second, staffing for Federal employment; third, assuring fitness and suitability in Federal employment; and fourth, improving personnel management.

#### EQUAL EMPLOYMENT OPPORTUNITY PROGRAM

One of the most important functions of the Civil Service Commission is to assure a merit work force so that the public can be guaranteed a personnel management program and a work force of the highest quality. It is equally vital and important that all citizens, regardless of race, color, creed, sex, or ethnic background, be afforded and given equal employment opportunities in the Federal service. The Civil Service Commission is urged to pursue a program of affirmative action to assure equal opportunity in Federal employment and the committee has directed that this program be given the highest priority.

While the Civil Service Commission has taken some measures to assure equality of opportunity in the Federal Government, the committee after hearing the Commission's budget requests has concluded that the Commission has not suf-

ficiently pursued its obligations under the Equal Employment Opportunity Act of 1972 in a manner that is consistent with the spirit of the act. Therefore, the committee has specifically directed the Civil Service Commission to:

First, increase its staff and efforts in the area of testing for job relevancy rather than to add more persons to employment roles. The Commission should shift emphasis from personnel management evaluation programs. In the judgment of the committee, it does little good to make large expenditures in program evaluation when the source of many problems of inequality of opportunity in the Federal service lies in ill-conceived tests that sometimes reflect cultural biases and do not fairly measure intelligence and ability. Particular emphasis is to be placed in specifically determining those positions where ability in the Spanish language is essential for successful job performance—that is, border patrol positions in INS; public contact positions in areas of high Spanish-speaking population—and then aggressively recruiting Spanish-speaking personnel to fill the positions.

Second. Pursue the 16-point program more aggressively overall, but particularly in its own offices and bureaus and to give full consideration to Spanish-speaking persons for its mission-related occupations and executive positions.

Third. Advance the 16-point program more aggressively throughout the Federal service by requiring the departments and agencies with poor records in the employment of Spanish-speaking persons to have full-time competent 16-point program coordinators.

Testimony before the committee revealed that certain Federal agencies have not fully complied with the President's Equal Employment Opportunity program and that much remains to be done in fulfilling the administration's pledges in this regard. The committee urges the Civil Service Commission to take necessary steps and measures to obtain compliance from those Federal agencies not actually in compliance with the Commission's directives regarding this matter.

For all activities of the General Services Administration, the committee recommends a total appropriation of \$579,068,000. This amount is \$15,466,000 under the 1974 estimate; \$11,224,000 under the House allowance; and \$369,217,000 under 1973.

#### OPERATING EXPENSES

For operating expenses of the General Services Administration, the committee recommends new budget—obligational—authority of \$380,582,000, a decrease of \$10 million under the House. In addition the Committee recommends that \$100 million be derived by transfer from the 1973 "Construction" appropriation account which contains an unobligated balance of \$203 million. Thus a total of \$480,582,000, or an increase of \$38 million over the amount appropriated for fiscal year 1973, is recommended by the committee for basic real property operations of GSA, including acquisition, operation, maintenance, protection, and utilization of general purpose buildings



and space and for overall direction of buildings, design, construction, and repair and modernization. The House bill did not provide for the transfer of unobligated funds from construction, as requested.

#### REPAIR AND IMPROVEMENT OF PUBLIC BUILDINGS

The sum of \$82 million is also recommended by the committee to be derived by transfer from unobligated 1973 Construction funds, for day to day maintenance repair work of all types, repairs, remodeling, improvement of space, alterations, conversions, and extensions of federally owned buildings under the jurisdiction of GSA.

While the Senate committee concurred with the House in the amount allowed, it did not agree with the House in regard to the source derivation of the funds. The House recommended that these funds be derived by transfer from "Operating Expenses," Public Buildings Service, and as previously stated, the Senate Committee recommends that the \$82 million be derived from the unobligated 1973 "Construction" account balance.

#### CONSTRUCTION

For the "Construction" account, the committee recommends the budget estimate—\$2,572,000—to be reappropriated from existing funds in this account for two border stations—one in Alaska and the other at San Diego; and for two Federal office building projects—one in Fayetteville, Ark. and the other at Buffalo, N.Y. The House recommended that the projects be constructed by direct appropriation, whereas the Senate committee recommends that presently available funds be reappropriated to fund the projects.

#### DEFENSE CIVIL PREPAREDNESS AGENCY

The committee recommends \$50 million, a reduction of \$10.3 million under 1973 and \$14.1 million under the 1974 estimate, for operation and maintenance of the Defense Civil Preparedness Agency, and in addition it made a proportionate cut of \$4.4 million in the research, shelter survey and marking account. The committee felt that the programs were not so urgent as to require full funding especially in view of relatively serious fiscal problems confronting the Government at this time.

#### CONCLUSION

Mr. President, before concluding my remarks, I wish to say that I enjoyed working together with the fine members of the subcommittee and the ranking minority member of the subcommittee, the Senator from Oklahoma (Mr. BELLMON). The Senator from Oklahoma (Mr. BELLMON) participated actively in the hearings and in the markup of the bill and thus contributed greatly to the committee's recommendations before the Senate. So did the Senator from Oregon (Mr. HATFIELD).

I shall now be happy to answer any questions that may be propounded at this time. Before doing so, however, I ask unanimous consent that the committee amendments be agreed to en bloc, and that the bill as thus amended be regarded for the purpose of amendment as original text, provided that no point of order

shall be considered to have been waived by reason of agreement to this order.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. MONTOYA. I yield.

Mr. MONDALE. Mr. President, I have a question with respect to the unanimous-consent request. As I understand it, the action taken by the committee on page 17 of the committee bill which authorized the House language appearing at lines 9 through 11 was struck by the committee after approval by the House. That relates to approval by the Senate and House Committees on Appropriations.

Since that is one of the issues that I would like to raise in my amendments, I wonder if the distinguished Senator from New Mexico would exclude that one provision in his unanimous-consent request that the amendments be agreed to en bloc.

Mr. MONTOYA. Mr. President, I ask the distinguished Senator what he has in mind.

Mr. MONDALE. Mr. President, on page 17 of the committee bill, starting on page 9, following the word "available" the following language was struck by the committee, "after approval by the House and Senate Committees on Appropriations..."

I was wondering whether the distinguished Senator might exclude that language from his motion so that we could act on that matter separately.

Mr. MONTOYA. Mr. President, I believe that under my request the Senator is free to act on this language anyway.

Mr. MONDALE. As I understand it, I think I would be free to move to strike. However, I prefer not to have it in the first place, which is why I asked the distinguished floor manager of the bill to exclude that provision from his motion.

Mr. MONTOYA. Mr. President, I do not know the purpose the Senator is seeking to accomplish when he can do the same thing even after my request is granted. The Senator from Minnesota can proceed to amend any part of the bill, because it will be considered as original text if my request is granted. Mr. President, is that not correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. MONDALE. Mr. President, would the distinguished Senator withhold his request for a short period of time? I will not ask for a quorum call. However, I will get back to the point later. I believe the procedure advanced in my suggestion is correct. However, I withhold it for the moment.

Mr. MONTOYA. Mr. President, I fail to see the Senator's point. The Senator has stated that he can offer any amendment he wishes to the section.

Mr. MONDALE. Mr. President, my suggestion was based on a conference with the Parliamentarian.

Mr. BELLMON. Mr. President, would the distinguished Senator from New Mexico yield to me so that I might make my statement on the bill?

Mr. MONTOYA. Mr. President, I defer my request temporarily so that I might yield to the Senator from Oklahoma for the purpose of making his statement on the bill. In the meantime the Senator

from Minnesota can make further inquiry concerning his position on this matter.

Mr. MONDALE. That would be satisfactory.

Mr. BELLMON. Mr. President, before commenting directly on the Treasury, Postal Service, and General Government appropriations bill, I would like to thank the distinguished chairman of the subcommittee, the distinguished senior Senator from New Mexico, who is managing the bill today, as well as the other members of the committee who worked on this legislation, and the staff of the subcommittee for the assistance and guidance they have provided. I would also like to thank the distinguished chairman, the senior Senator from Arkansas, for his diligent work and leadership on the full committee. Without his experience and knowledge it is doubtful that the bill would have reached the floor in such fine form. While there are few monumental new programs in this bill, we must remember that without the functions funded in this bill there would be no funds to finance expenditures of the other agencies and branches of the Federal Government, including our own. Spending programs found in other appropriations bills would be meaningless without the funds authorized in this appropriations bill.

Funds for the operations of the White House are found in this bill. Funds for the Executive Office of the President have become controversial this year, because of the Watergate hearings, the impoundment question, and the questions of executive privilege. We must not lose sight of the fact that this branch of Government is an equal branch of Government entitled to the funds necessary to provide the services on which the Nation so strongly depends. The funds for functions such as the Domestic Council, the National Security Council, the emergency fund for the President, the Office of Management and Budget, and the fund for special projects of the President are all included in this bill.

While in this year there are political overtones surrounding these funds, we should not lose sight of the fact that these are the funds of the President's advisers. The advisers on which the President must rely, if he is to assimilate the vast amounts of information which goes into decisionmaking by that branch of Government. Aside from these operations, which have had more than a passing interest these days, there are funds for projects which affect the lives of all Americans, such as drug abuse prevention and national disasters.

By and large we are considering today the funds for the general governmental activities of the Federal Establishment—the levying and collection of taxes, the monetary duties of the Treasury, the personnel management and retirement programs of the Civil Service Commission and the general housekeeping and oversight responsibilities assigned to the General Services Administration. These funds permit us to finance and implement the policies carried out by various departments and agencies of the Government. While the chairman of the subcommittee has outlined the various provisions of this bill and I will not

delay by going over many of these matters a second time, there are a few items that are noteworthy of further elaboration and I will take just a few minutes to cover them.

First of all, there is an item which concerns the subcommittee, particularly the senior Senator from Oregon (Mr. HATFIELD) and myself, who are both ex-Governors. The subcommittee recommended an almost 20 percent reduction of the activities of the Defense Civil Preparedness Agency of the Department of Defense. The members of the subcommittee who have served as Governors or State legislators have developed firm conclusion as to necessity of further funding of these activities at an ever increasing level. Appropriations for this agency over the years have increased by \$10 million in the 2 years between 1971 and 1973. The Appropriations Committee, by recommending this cut, is merely funding this office at the same rate it was funded in 1971.

Because of the nature of the functions of this agency, such as making fallout shelters, building a civilian defense program, and planning emergency assistance for States and local governments in the postattack period, the subcommittee feels that this expanding funding rate is no longer necessary. The Office of Emergency Preparedness, although now defunct, was to deal with natural disasters. Many of these functions have been completed, and many of them are worthless relics of the cold war and can in all likelihood be reduced much further than they already have been. Therefore, the committee has made the first move in recommending a significant reduction now, and we intend to hold oversight hearings in the near future to examine these programs and their continuing needs.

The committee has recommended an appropriation of \$19.1 million for the salaries and expenses of the Office of Management and Budget. This is a decrease of \$500,000 under the budget estimate from the amount appropriated for fiscal year 1973. The committee made this reduction because of the transfers of personnel to the General Services Administration which has made this reduction in funding possible. There has been some discussion that one of the functions of this Congress should be to make OMB tighten its belt just as it has worked to hold down the cost of programs which we have recommended in the past.

Mr. President, this is not the way to run a responsible Government. It would not be in the best interests of the taxpayers of this country. The Comptroller General has pointed out that OMB must play a strong leadership role in the improvement of financial management of the executive branch of Government. When we consider that 20 years ago this same agency had over 400 employees and was then charged with the responsibility of overseeing a \$70 billion budget, the relatively minute growth of OMB becomes apparent. Today, the same agency is responsible for a budget nearly 4 times as large, yet it has only 628 employees. In light of the bulging Federal bureaucracy, the Office of Management and Budget should be commended for holding

down the size of their agency. Because there is disenchantment with some of the policies of OMB we should not act unwisely and cut their appropriations further.

Let me conclude my remarks by urging the Senate to adopt the bill which the committee has sent you after weeks of hearings and deliberations.

I again commend the distinguished chairman of the subcommittee for the firm, fair, and methodical manner in which he has presided over the development of this legislation.

Mr. MONTROYA. Mr. President, I would like to inquire further of the Senator from Minnesota if he has changed his position on my request.

Mr. MONDALE. Mr. President, I withdraw my inquiry.

Mr. MONTROYA. I renew my request. The PRESIDING OFFICER. Without objection, the committee amendments are agreed to en bloc, and the bill as thus amended will be considered as original text for the purpose of further amendment.

The amendments agreed to en bloc are as follows:

On page 2, line 8, after the word "expenses", strike out "\$17,600,000" and insert "\$18,185,000".

On page 3, line 10, after the word "Director", strike out "\$71,500,000" and insert "\$73,000,000".

On page 3, line 21, after "(22 U.S.C. 401)", strike out "\$222,200,000" and insert "\$221,200,000".

On page 4, line 8, after the word "commissioner", strike out "\$71,500,000" and insert "\$23,000,000".

On page 5, line 5, after the word "applicants", strike out "\$531,683,000" and insert "\$530,000,000".

On page 5, line 15, after the word "Commissioner", strike out "\$622,430,000" and insert "\$620,430,000".

On page 8, line 12, after "GS-18", strike out "\$60,000,000" and insert "\$55,000,000".

On page 10, line 18, after "3109", strike out "\$16,000,000" and insert "\$19,100,000".

On page 10, line 24, after "5 U.S.C. 3109", strike out "\$2,070,000" and insert "\$1,500,000".

On page 11, line 13, after "(Public Law 92-255)", strike out "\$21,500,000" and insert "\$30,000,000".

On page 11, after line 13, insert:

"SPECIAL ASSISTANCE TO THE PRESIDENT  
"For expenses necessary to enable the Vice President to provide assistance to the President in connection with specially assigned functions, including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem equivalent of the rate for grade GS-18, compensation for one position at a rate not to exceed the rate of level II of the Executive schedule, and other personal services without regard to the provisions of law regulating the employment and compensation of persons in the Government service, \$675,000."

At the top of page 12, insert:

"SPECIAL PROJECTS

"For expenses necessary to provide staff assistance for the President in connection with special projects, to be expended in his discretion and without regard to such provisions of law regarding expenditure of Government funds or the compensation and employment of persons in the Government service as he may specify, \$1,000,000: *Provided*, That not to exceed 20 percent of this appropriation may be used to reimburse the appropriation for 'Salaries and expenses, The White House Office', for administrative expenses: *Provided further*, That not to exceed \$10,000 shall be available for allocation

within the Executive Office of the President for official reception and representation expenses: *Provided further*, That the Committees on Appropriations of the Senate and House of Representatives shall be furnished quarterly with a detailed accounting of expenditures made from these funds."

On page 12, line 22, after "section 3109", insert a comma and "at such per diem rates for individuals as the President may specify, and other personal services without regard to the provisions of law regulating the employment and compensation of persons in the Government service"; and, on page 13, after "(not to exceed \$75,000)", insert a comma and "and official entertainment expenses of the President, to be accounted for solely on his certificate";

On page 16, line 18, after the word "vehicles", strike out "\$200,000" and insert "\$240,000".

On page 17, line 5, after the word "moving", strike out "\$390,582,000" and insert "\$480,582,000, of which \$100,000,000 shall be derived by transfer from the appropriation made in the Independent Agencies Appropriation Act, 1973, for "Construction, Public Buildings Projects"; and, in line 9, after the word "available", strike out the comma and "after approval by the House and Senate Committees on Appropriations."

On page 18, at the beginning of line 6, strike out "Public Buildings Service, Operating Expenses"; and insert "made in the Independent Agencies Appropriation Act, 1973, for "Construction, Public Buildings Projects";

On page 18, at the beginning of line 23, strike out "For an additional amount for expenses, not otherwise provided for, for construction, pursuant to the Public Buildings Act of 1959, as amended (40 U.S.C. 601-615), in addition to the sums heretofore appropriated for such projects, \$2,572,000, as follows: Border Station, Alaska Highway, Alaska, \$732,000; courthouse and Federal office building Fayetteville, Arkansas, \$140,000; Border Station, San Diego, California, \$1,100,000; and Federal office building, Buffalo, New York, \$600,000; to remain available until expended" and insert "An amount of \$2,572,000 heretofore appropriated under this heading shall be available until expended for construction, pursuant to the Public Buildings Act of 1959, as amended (40 U.S.C. 601-615), and shall be in addition to the sums heretofore appropriated for such projects, as follows: Border Station, Alaska Highway, Alaska, \$732,000; Courthouse and Federal office building, Fayetteville, Arkansas, \$140,000; Border Station, San Diego, California, \$1,100,000; and Federal office building, Buffalo, New York, \$600,000"; on page 19, line 19, after the word "the", insert "unobligated balance of the"; and, in line 21, after the word "of", strike out "\$203,312,000" and insert "\$18,740,000".

On page 20, line 11, after "\$500,000", insert "to remain available until expended".

On page 20, line 24, after the word "furnishings", strike out "\$7,512,000" and insert "\$7,000,000".

On page 21, line 8, after the word "law", strike out "\$95,000,000" and insert "\$97,000,000".

On page 21, line 16, after the word "services", strike out "\$33,000,000" and insert "\$33,230,000"; in the same line, after the word "which", strike out "\$500,000" and insert "\$730,000"; and, in line 18, after the word "amended", insert a comma and "shall remain available until expended".

On page 23, line 2, after the word "Provided", strike out "That none of the funds available under this heading shall be available for transfer to any other account nor for the funding of any activities other than those specifically authorized under this heading" and insert "That during the current fiscal year the General Services Administration is authorized to acquire leasehold interests in property, for periods not in ex-



cess of twenty years, for the storage, security, and maintenance of strategic, critical, and other materials in the national and supplemental stockpiles provided said leasehold interests are at nominal cost to the Government: *Provided further*, That during the current fiscal year there shall be no limitation on the value of surplus strategic and critical materials which, in accordance with section 6 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98e), may be transferred without reimbursement to the national stockpile: *Provided further*, That during the current fiscal year materials in the inventory maintained under the Defense Production Act of 1950, as amended (50 U.S.C. App. 2061-2166), and excess materials in the national stockpile and the supplemental stockpile, the disposition of which is authorized by law, shall be available, without reimbursement, for transfer at fair market value to contractors as payment for expenses (including transportation and other accessory expenses) of acquisition of materials, or of refining, processing, or otherwise benefiting materials, or of rotating materials, pursuant to section 3 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b), and of processing and refining materials pursuant to section 303(d) of the Defense Production Act of 1950, as amended (50 U.S.C. App. 2093(d))."

On page 25, line 14, after the word "activities", strike out "\$3,370,000" and insert "\$3,000,000".

On page 26, line 4, after the word "exceed", strike out "\$40,000,000" and insert "\$44,703,000".

On page 27, after line 13, insert a new section, as follows:

"Sec. 4. Not to exceed 2 per centum of any appropriation made available to the General Services Administration for the current fiscal year by this Act may be transferred to any other such appropriation, but no such appropriation shall be increased thereby more than 2 per centum: *Provided*, that such transfers shall apply only to operating expenses, and shall not exceed in the aggregate the amount of \$2,000,000."

On page 27, after line 21, insert a new section, as follows:

"Sec. 5. No appropriated funds shall be available for the purpose of defraying any expenses (including expenses for the payment of the salary of any person) incurred in connection with the transfer of title of all (or any portion) of the Sand Point Naval facility, Seattle, Washington, to any person or entity for aviation use."

On page 28, at the beginning of line 7, strike out "\$5,760,000" and insert "\$5,480,000"; and, in line 9, after the word "judge", insert a colon and "*Provided further*, That \$1,000,000 of this appropriation shall remain available until expended for equipment, furniture, furnishings and accessories, required for the new Tax Court building and, whenever determined by the Court to be necessary, without compliance with section 3709 of the Revised Statutes, as amended (41 U.S.C. 5)."

On page 28, line 21, after the word "law", strike out "\$63,500,000", and insert "\$50,000,000".

On page 29, line 10, after the word "equipment", strike out "\$24,000,000" and insert "\$20,000,000, to remain available until expended".

On page 30, line 16, after the word "services", strike out "\$3,000,000" and insert "\$6,000,000".

On page 30, line 24, strike out "\$200,000" and insert "\$250,000".

On page 34, line 1, after the word "from" insert "Cuba".

On page 34, line 3, after the word "residence", insert a colon and "*Provided*, That for the purpose of this section, an affidavit signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his status have been complied with: *Provided*

further, That any person making a false affidavit shall be guilty of a felony, and, upon conviction, shall be fined not more than \$4,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law"; and, in line 15, after the word "Government," insert "This section shall not apply to citizens of the Republic of the Philippines or to nationals of those countries allied with the United States in the current defense effort, or to temporary employment of translators, or to temporary employment as a result of emergencies."

On page 38, after line 13, insert a new section, as follows:

"Sec. 610. Funds made available by this or any other Act to the "Buildings management fund" (40 U.S.C. 490 (f)), and the "Postal Service fund" (39 U.S.C. 2003), shall be available for employment of guards for all buildings and areas owned or occupied by the United States or the Postal Service and under the charge and control of the General Services Administration or the Postal Service, and such guards shall have, with respect to such property, the powers of special policemen provided by the first section of the Act of June 1, 1948 (62 Stat. 281; 40 U.S.C. 318), but shall not be restricted to certain Federal property as otherwise required by the proviso contained in said section, and, as to property owned or occupied by the Postal Service, the Postmaster General may take the same actions as the Administrator of General Services may take under the provisions of sections 2 and 3 of the Act of June 1, 1948 (62 Stat. 281; 40 U.S.C. 318a, 318b) attaching thereto penal consequences under the authority and within the limits provided in section 4 of the Act of June 1, 1948 (62 Stat. 281; 40 U.S.C. 318c)."

Mr. MONDALE. Mr. President, I have a series of amendments affecting the appropriations for operations of the Executive Office of the President. May I say, before I call up any of these amendments, how deeply I respect the excellent work of the chairman of the Appropriations Subcommittee (Mr. MONDALE) and the fine bill which the committee has reported. I support that bill, though I think it involves, in terms of the Executive Office, severe policy questions which have been brought to our attention in excruciating detail during the Watergate hearings, under the chairmanship of Senator ERVIN.

The first amendment I shall call up affects the budget for the so-called Domestic Council. I call up that amendment, which is cosponsored by the Senator from Missouri (Mr. EAGLETON), the Senator from Illinois (Mr. STEVENSON), the Senator from South Dakota (Mr. McGOVERN), the Senator from South Dakota (Mr. ABOUREZK), and the Senator from Alaska (Mr. GRAVEL) at this time.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 8, line 4 strike out "\$1,100,000" and insert in lieu thereof "\$350,000".

Mr. MONDALE. Mr. President, do I correctly understand we are under controlled time?

The PRESIDING OFFICER. The Senator is correct.

Mr. MONDALE. I yield myself such time as I may require.

Mr. President, this amendment is designed to reduce the money appropriated for the so-called Domestic Council from

the \$1,100,000 provided in the pending bill to a figure of \$350,000.

This is more than just a matter of money. It is a question of the relationship between the executive and legislative branches of the Government, and more fundamentally it is a question of whether we have learned from Watergate the essentiality of forcing executive decisions out into the open again and into the public forum, so that such decisions must respond to the fact-finding processes of Congress, and in an environment where the traditional executive agencies are once again empowered to administer the laws and are made responsive to the public and to Congress. That is what this amendment is all about.

Virtually every Member of this body, at some point in the past 4 years, has experienced the frustration brought on by lack of accountability in the White House. Policy decisions were centralized in the White House, Congress was almost totally excluded from any consultative processes, and Cabinet officers in most domestic areas were dealt with summarily. Just as it has been said that Secretary Rogers did not possess much power in foreign affairs but that the power in fact was found in a White House office protected by executive privilege, so it has been true, over the past few years, that the Secretaries of Health, Education, and Welfare and of Labor have been little more than fronts to appear to be in charge of policy while in fact most of the fundamental policy for domestic affairs, and decisions in many of the operational efforts were to be found at the White House, removed from Congress, removed from the agencies, and removed from the public insofar as any accountability to the American people or to Congress was concerned.

Much of this abuse of power was centralized in the Domestic Council, a small but highly powerful group, for over 2 years under the control of John Ehrlichman.

Just as the National Security Council marked the retreat of accountability in the area of foreign policy, so the Domestic Council was the typification of a new style in domestic policymaking, a style which treated Cabinet officers, the Congress, and the press with equal disdain and disregard.

And, under the leadership of John Ehrlichman, the Domestic Council payroll became the "house of dirty tricks," from which Egil Krogh and G. Gordon Liddy went forth to do their nefarious business, while on the payroll of an organization ostensibly formed to provide policy advice to the President.

Just this afternoon, the newspapers carry the story of the indictments that have reportedly been returned in Los Angeles by a Federal grand jury relating to the Ellsberg case in which it is said that Mr. Ehrlichman, Mr. Krogh, Mr. Liddy, and Mr. Young were all indicted for complicity in that affair.

Mr. Krogh was on the staff from July of 1970 through August of 1972, and again from September of 1973 through January of 1973. He was Mr. Ehrlichman's Deputy, paid at an annual rate of \$36,000.

Mr. Liddy was on the staff as a "staff

assistant" from July through December of 1971, paid at an annual rate of \$25,867.

While Krogh was on the staff, he was carrying out the assignments given him by John Ehrlichman, and took direct charge of the "plumbers" operation, including the burglarizing of the office of Daniel Ellsberg's psychiatrist.

While Liddy was on the staff, he was a member of the plumbers' team, and actually participated in the burglarizing of Ellsberg's psychiatrist's office. In addition, since he outlined his entire \$1 million espionage plan on January 27, 1972, Liddy—who was on the Domestic Council payroll as late as December 10, 1971, was presumably engaged in developing this plan while on the Council staff.

We in Congress, in my opinion, must bear part of the blame for these developments, because when we look at the history of the creation of the Council and the history of the money we provided for its operation, we can only come to the conclusion that we gave it to the Executive at its request without legislative authority, without requiring any of its officers to be confirmed or made accountable to Congress. We permitted the creation of this vastly important Executive agency beyond the reach of Congress, under the principle of the separation of powers as defined by the President, and beyond the factfinding efforts of Congress under the doctrine of Executive privilege, once again as defined by this President.

Although the Domestic Council never has received permanent statutory authorization from the Congress, we have continued to appropriate virtually every dime which the President has asked for it since the Council was organized in mid-1970, without determining how it was being used, who was being paid what, what they were doing, and what kind of product was being achieved for the benefit of the American public. Originally intended to perform strictly coordination and advisory work for the President, the Domestic Council became a combination propaganda agency and decision-making headquarters which left Cabinet agencies behind and which showed no respect for congressional prerogatives in the domestic policy area.

As much as any Member of this body, in the 9 years I have been here, I have been deeply engaged in what I call human problems. I suggest, in that regard, that I have repeatedly met with Cabinet officers and with sub-Cabinet officers in HEW and the Labor Department. And, after entering into agreements and understandings with these Cabinet officers time and again, I came to the conclusion that Cabinet officers more often than not are merely fronts and did not possess the power or the responsibility to determine the true course of America's affairs in those areas which we call domestic policy, but, in fact, those powers were being exercised by a body far beyond the reach and powers of Congress.

Mr. Ehrlichman's successor as Executive Director of the Council—Kenneth Cole, Jr.—admitted this in testifying this year before a House appropriations subcommittee.

I think it is possible with a staff of the size that we had perhaps the staff was doing more than perhaps the Cabinet officers were

doing, or perhaps the staff was doing more than it ought to be doing.

When the President announced this year's budget request, he noted that the Domestic Council was to become smaller in size. In fact, a reduction from 66 to 30 permanent employees was envisioned in the President's budget request for the Council. This, the President stated, was part of an effort to decentralize power back into the Cabinet agencies.

As I indicated earlier in connection with the National Security Council, I believe this shift in functions is long overdue. However, I question whether it in fact has been accomplished. Indeed, since Mr. Ehrlichman left and Mr. Cole replaced him there have been continued indications that the Domestic Council is still overstepping its supposed function, and must be cut back still further.

At a January 17 hearing of the Senate Banking, Housing and Urban Affairs Committee, the committee released a letter from Mr. Cole to the distinguished Senator from Alabama (Mr. SPARKMAN). This letter was a slashing attack on the Nation's subsidized housing programs.

It contained threats to stop all water and sewer grant commitments until housing programs were folded into a revenue-sharing proposal, prompting the distinguished Senator from Oregon (Mr. PACKWOOD) to state that the letter "almost smacks of blackmail."

Then, on February 27, 1973, the Washington Post reported that—

The White House plans to mobilize pro-administration mayors in an effort to counteract criticisms from the League of Cities and the U.S. Conference of Mayors that federal budget reductions are forcing cutbacks in urban programs.

#### The Post continued:

Kenneth R. Cole, Jr., executive director of the administration's Domestic Council, said yesterday that he would meet with mayors who support the administration's "New Federalism" in an effort to "get our story told" about the purpose of the administration's budget cuts.

Mr. President, I do not believe that an office within the White House which at this time was maintaining liaison with State and local government officials had any business conducting what amounted to a lobbying effort on behalf of the administration. Once again, it appeared that Mr. Cole and the Domestic Council in general were overstepping the proper boundaries of their assigned functions.

Finally, on May 21 of this year, Time magazine reported that—

The White House Domestic Council is cranking up again under the supervision of Ehrlichman's replacement Kenneth Cole. . . . Last week Nixon spent four hours with Cole discussing revisions of the bill to set up an independent corporation to handle legal services for the poor.

Mr. President, I do not know how many hours I have spent with so-called representatives of the administration on legal services. I do not know how many times we made agreements or came close to agreements and passed bills which seemed to reflect what we agreed on, only to find them vetoed by the President with rhetoric entirely dissimilar to that which we heard before.

Mr. President, for 3 years I have

worked hard in the Senate to create an independent Legal Services Corporation which would truly serve the needs of the Nation's poor. I deeply resent the fact that the head of an office who need not be confirmed by the Senate apparently had a major role in shaping legislation which will be of tremendous impact to millions upon millions of the Nation's poor. This is not accountability in government. It is allowing key functions to be usurped by those with no loyalty to anyone but the President, an office elected by no one, responsible to no one, and accountable to no one except the President of the United States.

I believe that that policy must be stopped.

Mr. President, in view of the lack of statutory authorization for the Domestic Council, in view of the presence of Egil Krogh and Gordon Liddy on the Council payrolls for significant periods of time—in view of the usurpation of power in which John Ehrlichman and now Kenneth Cole appear to have engaged—I believe that we really should not appropriate any money at all for this Council.

When the Council was created, there were no extensive hearings in either the House or the Senate to review the bill and what it meant; and there was never a bill introduced in Congress to create such a Council. The Council was created by Executive order. We acceded to it. Then they asked for millions of dollars over the last 2 or 3 years, and it was appropriated on the ground that they wanted it.

However, I recognize the need for this President and any President to have available to him some staff assistance outside the agencies and departments. Therefore, I am proposing a steep cut in the appropriation for the Council from \$1.1 million to \$350,000. This cut of two-thirds should reduce the staff of the Council from 30 to 10. If there is a need for coordination of proposals among Cabinet agencies, let it be done by a small staff. Hopefully, the size of the staff, if reduced, will insure that they stick to the functions originally outlined in the President's Executive order.

Perhaps more important, I urge that this be the last appropriation for the Domestic Council until and unless the President submits legislation to Congress to establish this Council on a permanent statutory basis.

I might point to the parallel agency that was created, the Council for International Economic Policy, under Mr. Peter Flanagan. Legislation was submitted to Congress; it was considered; hearings were held; changes were made; debates were held on the proposal, and the legislation was passed. That way, Congress and the Executive understand each other, and there is an equality of power as it affects the operation of that body.

The Domestic Council was created in an entirely different way, completely without any accountability to Congress. I think it is lack of accountability that explains Watergate: limitless amounts of money granted with no hearings, no oversight; authority granted with no thorough consideration of where it would lead; special projects funds granted,



with no accountability; no request even stating the general purposes for which it was needed or meant.

With these funds, with these tremendous increases in staff, a President was able to assemble a group of people who undertook what we now know to be the worst political scandal in American public life. Part of that began when we granted these authorities and appropriated these moneys and set up these new staffs, safely hidden in the White House, with all the alleged constitutional protection they asserted, so that they were accountable to no one. Not only did they have the money, but also they were encouraged to believe that they could do anything they wanted with it, and that is exactly what they did. Practically anything one could think of, they thought of and did.

We must return accountability to Government. The President has stated that he wishes to do it. If this is indeed the case, I believe that this cut in appropriations for the Domestic Council will indicate to him that Congress shares this sentiment and will insist on substantive reforms before blindly continuing to appropriate requested amounts to offices within the White House.

Mr. MONTROYA. I yield myself 10 minutes.

Mr. President, I am in sympathy with most of what the Senator from Minnesota has said with respect to his amendment. However, I cannot stand here and say that I am in favor of his amendment, for many reasons.

During the course of the hearings, I was very much aware that some of the funds appropriated to the Domestic Council had been misapplied or misused. I made serious inquiry during the course of the hearings as to the use of these funds, and I am happy to note that my good friend, the Senator from Minnesota, cited as justification for his position some of the testimony which I elicited.

I asked those who presented the budget for the White House to give me the complete detail as to who was on the payroll since the inception of the Domestic Council in 1970. Only two of the employees appear to have gotten into trouble, and they were paid out of the funds allocated to the Domestic Council. They appear to be Mr. Egil Krogh, as the Senator indicated, and Mr. G. Gordon Liddy.

It boiled down to this: We in the committee considered this particular problem. We considered the testimony adduced during the course of the hearings. It was the feeling of the Subcommittee on Appropriations, as well as that of the full committee, that we should not avail ourselves of the power of the purse here, on this occasion, and try to level some kind of retribution on the Office of the President or any of the agencies under him. We tried to be fair in our deliberations, and I am not trying to imply that the Senator from Minnesota is being unfair, because I share his concern about the use of these funds.

What I am trying to say is this: Following the analogy, if two or three members of another department of Government, not directly under the President, committed some acts of similar gravity,

would that justify us to cut the appropriation for that department by two-thirds? I say no. I say we have to weigh this matter in proper context. I say that the Domestic Council performs a very valuable function for the Government and for the people of America.

I say, also, that when the Domestic Council applies some of the funds—which we provide through appropriations—for nefarious activities on the part of its personnel, that it is subject to condemnation by us and by all who regard the use of the taxpayers' money as something that should be respected.

I hope I can convince the Senator from Minnesota to withdraw this amendment. I do not think that this is the proper way to get at the very activity which he condemns—which I join him in condemning. I do not think this is the proper road, the proper avenue.

Extensive hearings will be conducted by me with respect to the use of these moneys, as I have done in the past. I uncovered, through the hearings, that these two individuals had been on the payroll; and I intend to air these things out, not only with respect to the Domestic Council but also with respect to any agency which comes before my committee in justification of its budget. I think that is the way to do it. Another way to correct the situation is to appeal within the legislative process, within Congress, and try to pass corrective measures, to provide penalties in the event certain activities are engaged in. I think that is the right avenue to try with respect to these matters.

So I am hopeful that, in a spirit of comity, which we should practice here with respect to the executive branch, we will maintain this appropriation intact, as recommended unanimously by the subcommittee and by the full committee.

I assure the Senator from Minnesota, as I did this year, that I will conduct a thorough investigation as to the use of these funds. I will insist that there be no ultra vires activities on the part of those people working for these agencies—the kind of ultra vires activity that leads to some kind of nefarious complicity in criminal acts. That is about the best we can do through the Appropriations Committee.

I think that cutting the President's budget request for the Domestic Council by two-thirds is the wrong way of doing it. I am hopeful that my good friend from Minnesota introduced this amendment in the hope of developing a good dialog, in the hope of transmitting words of concern on the part of Congress to the executive department that these activities should not be engaged in and should not be financed from taxpayer funds. In conclusion I ask my good friend from Minnesota to withdraw his amendment.

Mr. President, I yield the floor.

Mr. MONDALE. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 11 minutes remaining.

Mr. MONDALE. Mr. President, I concur with the point which the distinguished floor manager made about the role which he played in the hearings with respect to Mr. Krogh. The Senator did

directly ask and require the White House to produce the list showing the compensation of all employees in the Domestic Council from the beginning to the end. It was that effort on the part of the Senator from New Mexico to get at the truth that permits us to know the facts on which some of my argument is based.

I suppose if the argument were limited to the question of whether, if wrongdoing is found in a department some sort of cut should follow, I should withdraw my amendment.

But my arguments go much more deeply than that. The pervasive and high-level involvement of Mr. Ehrlichman, Chairman of the Council; Mr. Krogh, his Deputy Chairman; Mr. Liddy, its Catch-22 representative, and the record which the Senator from New Mexico and others have helped develop in the Watergate hearings suggest the purpose of that office during the election was involvement in Watergate, and that is the real argument as to how important its real function is in terms of what the American people need.

But once again my arguments go to a philosophical point, not a budgetary point. The point is best made in Mr. Reedy's book entitled "The Twilight of the Presidency," in which George Reedy, who was in charge of public affairs for President Johnson, following the end of that administration wrote a book in which he expressed horror at the degree to which a President is able to isolate himself from reality, to hide behind the purposes of the White House to defend himself from bad news; to shoot messengers who bring bad news rather than to reward them. It is this battle for reality, as Mr. Reedy put it, that is involved in this budgetary appropriation that I wish to cut. The executive branch has plenty of personnel. I think HEW alone has 110,000 employees. That should be enough people to provide sufficient memoranda to keep the President busy for a day or two.

The reason for the Domestic Council was entirely different. It was to place in the White House a staff which the President picked on his own, with no confirmation requirement of the Senate involved, with a budget and money for which they were not held accountable, which could hide behind principles of separation of power and executive privilege as defined by the President, to do, to put it mildly, any damn thing they wanted to do.

That is what they did, to escape the Congress, the Cabinet, and the American people. This amendment is designed to help put government back in the control of the American people, consistent with the constitutional framework within which we must operate.

We must not permit this effort, which was permitted when OMB was folded into the White House; or when the National Security Council was changed into another State Department to continue to succeed, since their common purpose was to remove fundamental policy questions from public discussion, the American Congress, and the American people.

The key to that strategy was the creation of institutions like the Domestic Council, staffed and held free from any

accountability, totally free from any reality, until finally they got Gordon Liddy and Egil Krogh. I think we are now entitled to say that this is enough and that we are going to put the Government back into the hands of the American people. One of the ways to make that certain is to be sure that it gets into hands that will be responsible to the American people, and not the way it was done in Watergate.

Mr. HARRY F. BYRD, JR. Mr. President, will the Senator yield for a question?

Mr. MONTOYA. Yes; I am happy to yield.

Mr. HARRY F. BYRD, JR. Am I correct in understanding that the appropriation which the committee recommends for the Domestic Council is \$700,000 under the amount appropriated for 1973?

Mr. MONTOYA. The Senator is correct. For fiscal year 1973 the appropriation was \$1,800,000. The budget request submitted by the President for 1974 was \$1,168,000. The committee's recommendation is \$1,100,000, a reduction of \$700,000 from fiscal year 1973.

Mr. HARRY F. BYRD, JR. There has been a substantial reduction in the requested appropriation for that agency. I am wondering whether the Senator from New Mexico has any knowledge as to why the amount has been so greatly reduced or why the recommendation was greatly reduced.

Mr. MONTOYA. The President made a few reductions at the White House for this last year that were occasioned by the fact that we increased the appropriation for the White House. The Office of Management and Budget then submitted a justification that the White House could not avail itself of departmental personnel to put to its own use.

Apparently, the allowances made for the White House for the last fiscal year were too much, because there has been a decided reduction in personnel at the White House.

Mr. HARRY F. BYRD, JR. If the substantial reduction by the Senate stands, as recommended by the Appropriations Committee, there will be a reduction in spending of \$700,000, compared with the amount for fiscal year 1973.

Mr. MONTOYA. That is correct; and the reduction of personnel will be from 75 to 30.

Mr. HARRY F. BYRD, JR. I thank the Senator.

Mr. BELLMON. Mr. President, will the Senator yield me time?

Mr. MONTOYA. How much time?

Mr. BELLMON. Five minutes.

Mr. MONTOYA. I yield 5 minutes to the Senator from Oklahoma.

Mr. BELLMON. I specifically support the position the Senator from Minnesota has taken that the Secretary and the various agencies themselves have as great a role as possible in the operation of the Government. But, at the same time, I must observe that I believe the amendment of the Senator from Minnesota tries to accomplish this objective in a way that is highly distasteful.

What the Senator from Minnesota seems to be attempting to do is to substitute the judgment of Congress for the judgment of the President as to how the

Chief Executive can operate his own office.

I feel that the President has the most difficult and most awesome job in the world and needs great latitude in the way he functions. Certainly this President may function differently than past or future Presidents may function. Certainly Congress should not tell the President where to cut and how to make the decisions he has to make.

I believe that any Senator would greatly resent efforts on the part of the executive branch to tell us how to operate our own staffs or structure our own offices. I believe the President should be entitled to the same latitude that we all treasure and need.

I feel that President Nixon has perhaps learned some valuable lessons from what has happened in his own staff and that he may be moving in the direction the Senator from Minnesota is recommending, and that members of his Cabinet are presently exercising greater power and responsibility than was true in the first term under President Nixon.

I also feel that the amendment by the Senator from Minnesota attempts to punish the President and the members of his personal staff for the misdeeds of two individuals who are presently being punished in the normal processes of this Government.

So I feel the amendment is not necessary, that the results the Senator from Minnesota wants are being accomplished in another way, and that we would be making a serious mistake if we went along with his amendment and in this way reduce the effectiveness of the President in the discharge of the duties of his office.

The PRESIDING OFFICER. Who yields time?

Mr. MONTOYA. Mr. President, I yield myself such time as I may require.

I wish to read into the RECORD a letter which I received today from the Executive Office of the President, more specifically from the Office of Management and Budget, dated September 5, 1973:

HON. JOSEPH M. MONTOYA,  
Chairman, Subcommittee on Treasury, Postal Service, and General Government,  
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: I write to convey the President's full support of your Committee's version of the Appropriations Bill for Treasury, Postal Service and General Government and to urge that you resist any efforts to cut it.

As it contains some of the more sensitive agencies of the Government, there could be strong pressures to reduce the funding levels of some of those agencies in the hope that Congressional powers and capacities will thereby be enhanced.

While all of us support the concept of a strong legislative branch, it is not likely to be achieved by the expedient of tearing down the executive. Indeed, the consequences of dismantling the several staffs of the President would only be to hobble his ability to discharge his Constitutional responsibilities. The present personnel levels authorized in your bill for such accounts as the Domestic Council, National Security Council, Special Projects, and the Office of Management and Budget are at the same or below those authorized and funded last year, and any further reductions would seriously impair the President's ability to perform those activities previously sanctioned by the Congress.

Accordingly, I most earnestly beseech you and your Appropriations Committee col-

leagues to give your full and enthusiastic support to the bill you carefully fashioned in committee.

With highest regards,

Sincerely,

ROY L. ASH,  
Director.

I wish to say in conclusion that the Domestic Council was created with noble purposes in mind, and I think the President is entitled to have the kind of advice that the Domestic Council offers when it is constructive. I do not believe that we should make a judgment on the basis of two individuals who performed outside the scope and activity of the Domestic Council to embarrass not only the Domestic Council but the President and the White House themselves.

The Domestic Council was created by Executive order. During the hearings, I made several inquiries as to why the President did not submit to the Congress a proposal to give it statutory birth and effectiveness. This was gone into very thoroughly. Essentially, the Domestic Council was designed to first, receive and develop information necessary for assessing national domestic needs and defining national domestic goals, and develop for the President alternative proposals for reaching those goals; second, collaborate with the Office of Management and Budget and others in the determination of national domestic priorities for the allocation of available resources; third, collaborate with the Office of Management and Budget and others to assure a continuing review of ongoing programs from the standpoint of their relative contributions to national goals as compared with their use of available resources; and fourth, provide policy advice to the President on domestic issues.

These are the basics with respect to the functions of the Domestic Council. Let us bear in mind that to cut the President's request and all the instruments that he needs in order to effectively carry on his duties—and I consider this to be a very effective instrument if it is used properly—is similar to the President's trying to dilute or cut appropriations made by our committees here in Congress. The element of comity between the executive and the legislative branches of Government enters into this picture. I am hopeful that we will weigh this question with this ingredient present in our mental evaluation of the impact of the amendment as proposed by my good friend from Minnesota.

I do not think this is the proper way, as I said before, to take care of what has gone on before and to eliminate it in the future. I think we have to continue, in the legislative process, through the process of hearings in order to develop the kind of caution that should prevail with respect to the use of the taxpayers money, downtown as well as elsewhere.

For these reasons, I resist the amendment, much as I agree with the dialog that has taken place today and the factual situation which developed and which brought about the Senator's motivation in offering the amendment.

Mr. MONDALE. Mr. President, how much time do I have?

The PRESIDING OFFICER. The Senator has 5 minutes.



Mr. MONDALE. Mr. President, in no sense is this amendment designed to weaken the executive, as was suggested earlier in the debate. I want a strong President. We must have one. But I want a President who is legal, whose operations are public, and who is accountable to the American people. That is what this amendment is designed to accomplish.

We talk about comity between the executive and the legislative branch, but what we have is comedy—comedy—on the part of the executive toward the legislative. In the war powers field, in impoundment, in executive decisions, and in a whole range of domestic policy judgments, there has not only not been comity; there has been an utter contempt for the Congress and for the laws. One of the reasons why the Executive has been able to pursue this lawless course—and I say that advisedly, because over 20 courts have now held that the President has been acting illegally in impounding congressionally appropriated funds—is that we have been pursuing our relations with the President in a way that has given him the money he has wanted, the agencies he has wanted in the White House, protected by the principles of executive privilege and separation of powers, as he defines them. He was totally isolated from the accepted congressional processes, hearings, confirmation, and budgetary approval.

A classic in this regard was the Domestic Council, which was created without a law, for which money was budgeted and provided without any accountability, as an office able to strip the Cabinet departments of their policymaking functions. This made fools out of the Cabinet officers, and meant that Executive agencies such as the HEW and the Department of Labor had little or no control over the departments they were supposed to have charge of. It simply put that power all in the hands of the White House without it being in the charge of any one.

That is a long way from accountability. That was the reason for offering the amendment. I was for eliminating the council before I knew anything about Watergate. I am trying to prevent the White House from abusing the constitutional powers it has.

Mr. BELLMON. Mr. President, if the Senator will yield, I would like to remind the Senator from Minnesota that the reorganization plan which was submitted to the Congress by the President could have been rejected by the Congress had it chosen to do so. There was nothing unconstitutional about its creation.

Mr. MONDALE. The Senator is correct. And may I say that the point the Senator makes is a very valid point. I think that we should have rejected it and looked at the fine print in the creation of a Domestic Council through Executive order, just as we remained tragically silent when the OMB was taken into the White House and put beyond our control. Now, we have no ability to get facts from them.

I think it is a tragedy and that we have to do something about it.

Mr. BELLMON. Mr. President, if the Senator will yield further, would the

Senator agree that if we are going to abolish the Domestic Council, the better way to do it would be in a formal way, through resolution, and find out if Congress really wants to do away with the powers of the President, because the effect of the Senator's amendment would be to abolish the Domestic Council as an effective arm of the President's office.

Mr. MONDALE. There is money left by the amendment for the President. There is \$350,000, for a staff to advise him on domestic matters. He also has the Secretary of the HEW with 110,000 employees and he ought to be able to get an idea or two out of them. He has the Department of Labor and he has the Council of Economic Advisers. It really never stops. He probably has a couple of million people if he wants to call on them.

I do not think that this would hurt the President at all. It just makes the process more open and more public and more consistent with what the framers of the Constitution intended.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HUMPHREY. Mr. President, will the Senator yield me 1 minute on the bill?

Mr. MONTOYA. Mr. President, I yield 1 minute on the bill to the distinguished Senator from Minnesota.

Mr. HUMPHREY. Mr. President, whether or not we approve of it, we are not trying to abolish it. There is a staff provided of 10 people. Why do they not take the Vice President and make him Chairman of the Domestic Council? He gets a good salary. I remember that when I served as Vice President, I served in that capacity with no additional personnel.

I do not think it in any way violates comity between the President and the Congress. We need a more close relationship between the Cabinet officers and the President. We need to get rid of those fellows in between who are responsible to no one.

Mr. MONDALE. Mr. President, I ask unanimous consent that Mr. Roger Colloff have the privilege of the floor during votes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MONDALE. Mr. President, I ask for the yeas and nays. The yeas and nays were ordered.

Mr. President, I yield back my time.

Mr. MONTOYA. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. BELLMON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BELLMON. Mr. President, I ask unanimous consent that Mr. Denny Moffett of my staff be granted the privilege of the floor during the progress of the rollcall vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BELLMON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. MONTOYA. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MONTOYA. Mr. President, I yield 1 minute to the distinguished Senator from West Virginia for the purpose of making a unanimous-consent request.

Mr. ROBERT C. BYRD. Mr. President, I have cleared this request with the ranking minority member of the committee, with the distinguished manager of the bill on this side of the aisle, with the distinguished Senator from Minnesota (Mr. MONDALE), and with other Senators concerned.

Mr. President, I ask unanimous consent that the time on any amendment be limited to 30 minutes, that the time on any amendment to an amendment be limited to 20 minutes, and that the time on any motion or appeal be limited to 10 minutes, the time in each regard to be divided in accordance with the usual form.

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia? The Chair hears none, and it is so ordered.

The question is on agreeing to the amendment of the Senator from Minnesota (Mr. MONDALE). On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Florida (Mr. CHILES), the Senator from North Carolina (Mr. ERVIN), the Senator from Kentucky (Mr. HUDDLESTON), the Senator from Iowa (Mr. HUGHES), the Senator from Utah (Mr. MOSS), and the Senator from California (Mr. TUNNEY) are necessarily absent.

Mr. SCOTT of Pennsylvania. I announce that the Senators from Tennessee (Mr. BAKER and Mr. BROCK), the Senator from Hawaii (Mr. FONG), and the Senator from Oregon (Mr. HATFIELD) are necessarily absent.

I also announce that the Senator from Utah (Mr. BENNETT) is absent because of illness in his family.

I further announce that the Senator from Michigan (Mr. GRIFFIN) and the Senator from New York (Mr. JAVITS) are detained on official business.

Also, I further announce that the Senator from Florida (Mr. GURNEY) is absent on official business.

The result was announced—yeas 30, nays 56, as follows:

[No. 372 Leg.]

YEAS—30

Abourezk	Gravel	Muskie
Bayh	Hart	Nelson
Biden	Haskell	Packwood
Burdick	Hathaway	Pastore
Cannon	Humphrey	Pell
Church	Kennedy	Proxmire
Clark	McGovern	Ribicoff
Cranston	McIntyre	Stevenson
Eagleton	Metcalfe	Symington
Fulbright	Mondale	Williams

NAYS—56

Aiken	Bartlett	Bellmon
Allen	Beall	Bentsen

Bible	Hartke	Percy
Brooke	Helms	Randolph
Buckley	Hollings	Roth
Byrd	Hruska	Saxbe
Harry F., Jr.	Inouye	Schweiker
Byrd, Robert C.	Jackson	Scott, Pa.
Case	Johnston	Scott, Va.
Cook	Long	Sparkman
Cotton	Magnuson	Stafford
Curtis	Mansfield	Stennis
Dole	Mathias	Stevens
Domenici	McClellan	Taft
Dominick	McClure	Talmadge
Eastland	McGee	Thurmond
Fannin	Montoya	Tower
Goldwater	Nunn	Weicker
Hansen	Pearson	Young

## NOT VOTING—14

Baker	Fong	Hughes
Bennett	Griffin	Javits
Brock	Gurney	Moss
Chiles	Hatfield	Tunney
Ervin	Huddleston	

So Mr. MONDALE's amendment was rejected.

Mr. MONTOYA. Mr. President, I move that the vote by which the amendment was rejected be reconsidered.

Mr. YOUNG. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MONDALE. Mr. President, I send to the desk an amendment cosponsored by the Senator from Missouri (Mr. EAGLETON), the Senator from South Dakota (Mr. McGovern), the Senator from South Dakota (Mr. ABUREZK), and the Senator from Alaska (Mr. GRAVEL), and ask that it be stated.

The PRESIDING OFFICER (Mr. HELMS). The amendment will be stated.

The legislative clerk read as follows:

On page 12, strike out all on line 1 through line 17.

Mr. MONDALE. Mr. President, the House of Representatives deleted \$1.5 million requested by the White House for the so-called "special projects fund," on the ground that the White House utterly and completely refused to say either what they did with the money or what they intended to do with the additional money if given to them.

I propose that the Senate take the same position.

The Senate Appropriations Committee reduced the request by half a million dollars, which still would leave under control of the White House, without any specific request or definition of what they intend to do with it, \$1 million to do with as they deemed fit, even though the House Appropriations Committee repeatedly asked the White House to define and specify how the money had been spent in the past, and even though it had asked them to specify what they would do with the money if appropriated. The White House took the position that they would not comply with any of the requests for information. This could well be the dirty tricks budget. We will never know. The President takes the position that we have no right to know, that the only right we have is to provide the money without question.

Finally, the House had enough and they said, "If you will not tell us in effect what you have done with the money and what you intend to do with it, if you will not tell us what role, if any, this money played in Watergate, if you will not answer any of our questions in regard to

that, then we have no choice other than to deny the money altogether."

This still does not deny to the White House the discretion they will have with an additional \$1 million, which is not bad, in the emergency fund for the President, which they can use at their discretion for emergency needs pending additional congressional action.

Mr. President, for almost 20 years the Congress has given approval with virtually no questioning to a fund established in 1956. This fund, known as the "special projects fund," has been used by different Presidents for a variety of projects on wide-ranging matters.

It is one of a number of funds which gives the President unlimited control—with almost no auditing of expenditures by any other agency of Government. These funds represent money available to the President to be used for good or evil, as he—and only he—sees fit.

With revelations surrounding Watergate fresh in mind, the House this year cut out the entire appropriation of \$1,500,000 which the administration had requested for this fund.

The committee of the House Appropriations Committee indicated a very simple reason for this denial:

For a number of years funds have been provided under this account to enable the President to employ staff assistants in connection with special projects, to be expended at his discretion and without regard to such provisions of law regarding expenditure of Government funds or the compensation and employment of persons in the Government service.

Certain questions have arisen, however, concerning the propriety of some of the expenditures from this account. The committee, during the hearings requested the Office of Management and Budget to provide a listing of the individual vouchers and expenditures from the funds provided under this account. The administration, however, declined to provide such detailed information.

And in testimony before the House Appropriations Committee, the reasons for this recommendation become quite clear. Under persistent questioning from Members of the House committee, White House witnesses refused to state whether any funds from the special projects fund had gone to pay for expenses of members of the so-called "plumbers" group.

Frank Malek, Deputy Director of the Office of Management and Budget, stated that he did not believe the plumbers were paid from special projects fund money—

Although, I could not say with certainty that no special projects funds at all were used in support of that group.

Later, when asked whether E. Howard Hunt was paid by money from this fund, another White House witness stated that—

He was paid by one of these funds for a period of time, but I do not know which one.

This testimony reveals the state of anarchy with regard to expenditure of American taxpayers' money which has prevailed in the Nixon White House for over 4 years. Apparently, there were so many special and secret funds around the White House—some paid for by the American taxpayer—that no one really knew from which funds the various illegal activities were paid for.

As in other instances, we in Congress have allowed this deplorable situation to arise. White House witnesses have testified that the Office of Management and Budget had virtually no control over expenditures from the special projects fund. In fact, Mr. Weinberger testified to that effect.

Mr. President, the Senate Appropriations Committee has, in its wisdom, reversed the action of the House in eliminating the appropriation for this fund. They have recommended \$1 million.

While this is certainly an improvement over prior actions, I simply do not see any reason why this "slush fund" should continue to receive any money at all. I would note that there is another \$1 million fund, also vaguely worded, which the President will continue to have at his discretion, even if the special projects fund is eliminated.

I see no reason for continuation of two separate funds amounting to \$2 million, which the President has at his discretion, particularly in light of his refusal to answer any of the questions concerning the use of those funds.

For too long, we have allowed the White House to run roughshod over Congress in the appropriations process. The cost of the White House operation has continued to grow rapidly—more rapidly than funding for either Congress or the executive agencies. We can and should begin to scrutinize this budget more carefully, and elimination of the special project fund is an excellent place to start.

Mr. President, at the time there were hearings in the House on this matter, the committee asked Mr. Malek, the Deputy Director of OMB, if he would submit information to them in answer to certain questions about whether any of this money was used in Watergate-related activities, and whether Mr. Howard Hunt and others had been paid out of this fund. Mr. Malek said he would certainly check on that, and this is the answer they sent to the committee:

Mr. E. Howard Hunt was employed by the White House as a consultant from June 6 to April 1, 1972.

In regard to the alleged burglary, this matter is currently under investigation by the Senate Select Committee, and we would prefer not to get into these matters concerning the ongoing Watergate investigation.

To put it mildly, this is another example of executive contempt. They simply do not believe that Congress is entitled to answers or that we will insist on answers, and they would put us in the humiliating posture of giving them money nevertheless, despite this record of contempt and despite the record of Watergate, which raises grave suspicions concerning the use of this special slush fund for the payment of a whole range of illegal, outrageous acts, in defiance of the legal processes of American political life.

Mr. ABUREZK. Mr. President, will the Senator yield?

Mr. MONDALE. I yield.

Mr. ABUREZK. Do I correctly understand that, in testimony, the administration would not account for that money?

Mr. MONDALE. Absolutely refused to



answer any questions. In the one area where they promised to answer them, they followed up with this brush-off to which I have referred. In other words, they said, "We are entitled to the money."

It was so bad, the House felt they were being dealt with contemptuously, that they finally refused to give them any money; and I am proposing to take the same position.

Mr. ABOUREZK. I thank the Senator.

Mr. MONDALE. I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. MONTROYA. I yield myself such time as I may require.

Mr. President, I rise to oppose the amendment offered by the Senator from Minnesota, for many reasons.

The special projects fund has existed for many years, under different Presidents. The fund was created, I believe, in 1956; and with the exception of 1 or 2 years, Congress has allocated to the White House funding for special projects in a consistent amount of \$1.5 million.

This year, we thought we should cut this down to \$1 million, and that is the recommendation of the Senate subcommittee as well as that of the full Committee on Appropriations. We did this because we felt that the funding was necessary in carrying out some special projects which do not fall within the orbit of an existing agency. Special projects funds have been used to great advantage and with great benefit for the American people in years past.

I have tried to make inquiry through the hearings as to whether any illegal activity was engaged in in the use of funds in this particular category. I was unable to find that such activity existed.

The special projects fund is worthwhile, and consistently throughout the years a balance has reverted to the Treasury because the President has not used the full amount in any given year. In fact, the reversion of unobligated balances to the Treasury from the appropriated funds, over the entire span of 17 years, has averaged \$320,000 a year.

The fund was created, as I stated earlier, in 1956, to be used by the President for staff assistance in special problems which arise from time to time but which cannot be considered the responsibility of an existing agency. Those who advise the President on consumer affairs are paid out of the special projects fund. The present energy setup that was created under the White House is paid out of the special projects fund. Many other worthwhile projects which do not fall within the orbit of authorization in other departments or other agencies have been commissioned because this fund existed. I feel that we have done what is right in recommending \$1 million.

Also, we were cognizant of the reluctance of the White House to divulge to the House Appropriations Committee as well as to us full details as to how these funds were allocated. I agree with the Senator from Minnesota in this respect. Anticipating the lack of response by the

White House the Appropriations Committee did something about it. This is what we have provided in the bill, so that the White House will be more responsive in reporting to Congress as to the use it makes of the funds in this particular category.

On page 12 of the bill, starting at line 13 we have inserted a provision which reads as follows:

*Provided further, That the Committees on Appropriations of the Senate and House of Representatives shall be furnished quarterly with a detailed accounting of expenditures made from these funds.*

That provision will take care of the fears expressed by my good friend from Minnesota and it will enable us to fully inform Congress as to the use of these funds. But as far as I know and as far as the hearings disclose, this money has been used properly in the past. I am not prepared to say there has not been any misuse, but in the absence of any evidence I am willing to say that the moneys have been properly expended by the White House. The only thing we can do within the sphere of our activity as members of the Committee on Appropriations is to exact compliance with our request for quarterly reports and to examine those quarterly reports and then report back to Congress.

I hope the Senate will reject the amendment.

Mr. YOUNG. Mr. President, will the Senator yield?

Mr. MONTROYA. I yield.

Mr. YOUNG. Mr. President, I rise to support the position taken by the distinguished Senator from New Mexico. Every President for many years past has had these special funds. They have not been investigated by us as to how they were spent. The President of the United States should be conceded leeway in the operations of his office.

One President, who is now deceased, did overspend his budget by over \$1 million on one foreign trip. Even his special funds did not take care of his expenditures. They were drawn from two other entirely separate department funds. If that President were alive today Senators would like to tell the Senate where they came from. I know but not many other Senators do.

Mr. President, these funds are necessary for a President and I do not think the President should be called upon to account for every penny of it.

Certainly, if those funds went for Watergate purposes they should be held accountable for them. This amendment would be punitive action by cutting out funds that a President has to have. It would break precedent with the past and establish a very bad precedent.

Mr. HARRY F. BYRD, JR. Mr. President, will the Senator yield for a question?

Mr. MONTROYA. I yield.

Mr. HARRY F. BYRD, JR. I notice that there are two funds unspecified as to use. One fund is the emergency fund for the President and the other is special projects. The first fund is \$1 million and the second was \$1.5 million last year and the

committee recommends \$1 million for this year.

Where is the differentiation between the special projects on the one hand and emergency funds on the other?

Mr. MONTROYA. The explanation given to us in the committee with respect to the emergency fund—and I already have explained the special projects fund—was that this money was used by the President to meet emergencies affecting national interest, security, or defense.

Mr. HARRY F. BYRD, JR. Is that not what the special projects fund is for?

Mr. MONTROYA. Not necessarily. The special projects appropriation is usually used to fund some special activity which is not within the legislative authorization or cannot be considered the responsibility of an existing agency. I will give an example as I did a while ago. For example, the Office of Consumer Affairs at the White House is not created by statute; the President created the office and pays for the personnel to man it out of special projects. The special projects would be used, for instance, in the case of Governor Love of Colorado.

The emergency fund, I understand, deals with cases of dire emergency with respect to the national defense and, as I stated, emergencies affecting national interest or the security of our country. I do not know where the line of demarcation is.

Mr. HARRY F. BYRD, JR. That is what I am getting at. I do not think there is a line of demarcation. That is why I say we are dealing with unspecified sums of not just \$1 but \$2 million, and this on top of \$9.1 million for the White House office. What disturbs me about this matter is that the responsible persons refuse to give any information to Congress as to how this money was spent or what happens to it. Is not the committee concerned about that?

Mr. MONTROYA. Absolutely, and we have been asking the White House to justify all expenditures.

Mr. HARRY F. BYRD, JR. But they have not done so.

Mr. MONTROYA. They have with respect to the special projects, but only in a general way. With respect to the emergency fund they did not produce any evidence upon the use of the emergency fund.

Mr. HARRY F. BYRD, JR. Should not Congress, which appropriates the money—these are tax funds—be notified as to what happened to the money?

Mr. MONTROYA. With respect to the emergency fund the justifications indicate that during 1972, funds were made available from this appropriation to finance the Special Action Office for Drug Abuse Prevention until it received its own appropriation. That was done in 1972, which was part of the fiscal year 1973.

Mr. HARRY F. BYRD, JR. Just as a broad general question, has the committee been furnished adequate and full information as to what has happened to these tax funds?

Mr. MONTROYA. Yes; we have some information. I asked for details as to how

much is paid to personnel from this fund and we have that in the hearing record.

Mr. HARRY F. BYRD, JR. But I understood that the House was refused that information.

Mr. MONTROYA. Maybe the House was but we have the names of individuals and positions.

Mr. HARRY F. BYRD, JR. The Senator has that information?

Mr. MONTROYA. Yes.

Mr. HARRY F. BYRD, JR. But I understood the Senator to say the reason the committee reduced it from \$1.5 million to \$1 million was that the administration refused to give the facts.

Mr. MONTROYA. No, I did not say that.

Mr. HARRY F. BYRD, JR. Then, I misunderstood the Senator.

Mr. MONTROYA. I did say that in view of the fact that the history of this appropriation reflects an average annual reversion to the Treasury of approximately \$350,000 we thought it prudent to reduce the budget request of \$1.5 million to \$1 million.

Mr. HARRY F. BYRD, JR. I thought the Senator also said he was concerned about the point made by the Senator from Minnesota.

Mr. MONTROYA. And I did so state that I was concerned about the point made by the Senator from Minnesota and because I was so concerned and the committee was so concerned we put a proviso related to this particular item in the bill which requires that quarterly reports be made to the Committees on Appropriations of the House and the Senate so that from those reports we could deduce how the money was going to be spent.

Mr. HARRY F. BYRD, JR. I am not clear as to whether the Senator has or has not received a full accounting of this special project fund.

Mr. MONTROYA. May I say to my good friend from Virginia that we have not received full information.

Mr. HARRY F. BYRD, JR. Have not.

Mr. MONTROYA. As I have stated before we have received the names and position, titles of employees funded by the special projects fund. That information appears on page 1778 of the Senate hearings.

Mr. BELLMON. Mr. President, will the Senator yield?

Mr. MONTROYA. I yield.

Mr. BELLMON. I would like to point out that on pages 1778 and 1779 of the hearings, copies of which are on the desks of Senators, there appears a list of employees funded by special project funds and also the justification for these projects.

Mr. HARRY F. BYRD, JR. Mr. President, will the Senator yield?

Mr. MONTROYA. I yield.

Mr. HARRY F. BYRD, JR. I wish to say that my comments on these funds are not directed at the individuals but at public policy. I took this same view in the Virginia Senate for 18 years when some of my closest friends were serving as governor. I did not like to give them unspecified funds. I have great reluctance

to support unspecified funds, funds supplied by the taxpayers.

In this case before us today, I understand a full accounting of these tax funds have not been made—and in fact, has been denied to the Congress. So I shall vote against providing this extra million dollars for unspecified special projects.

The PRESIDING OFFICER. The time of the Senator from New Mexico has expired.

Mr. MONDALE. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 5 minutes.

Mr. MONDALE. Mr. President, I would like to make just a few points before we vote.

The first is that I must disagree with the distinguished floor manager on the question of whether any significant accounting has been made by the White House on the use of these funds. The record shows only a list of current employees; it says nothing about past practices. The House committee tried to find out from Mr. Malek, Deputy Budget Director, what role, if any, this fund played in Watergate. If one reads the record, he must conclude that they had no intention of answering those questions, and they did not answer them. Therefore, I am very suspicious that the reporting requirement we require once we give them the money will be no more successful in getting information than we were when they wanted the money. We have seen from time to time in the past the contemptuous way they slide around governmental reporting procedures when that is their intention.

I think it is true that these funds have been made available in the past without accounting, and I guess I voted for them; but it is also true that a little thing has happened along the way called Watergate, which opened up for the American public to see the tremendously dangerous tendency that exists when we grant, without specification, without control, without information, substantial funds to the White House which are used by them behind the protection of executive privilege and the separation of powers to do as they please.

What we are creating is a government that increasingly is drawing within the confines of the White House the central policymaking powers and decisions so that Cabinet officers have less and less to do with those decisions and Congress, by that fact, is less and less able to find out what has happened.

There is one good answer to that, and that is to insist that, as a condition of receiving those funds, the use of those funds shall be made public to the extent that national security permits.

In this case national security was not involved, and a national scandal was involved. We wanted to know whether these moneys were used to help fund the worst political scandal in American history. This administration said, "It is none of your business, but we want the money

anyway." The Senate said, "OK. Here it is."

I say we will be treated with contempt as long as we permit ourselves to be used in that way. We have the duty to know how this money is being used. This is one of the classic examples. The contempt for Congress was so great that the House of Representatives said, "We refuse to give you this money until you tell us what you did with it and what you intend to do with it."

I think this is a very simple objective.

I might add, finally, that the President still has \$1 million in petty cash over there that is still unaccounted for in the other emergency fund that they still can use any way they want. He has vast funds from other sources to accomplish what he wants to do. This particular fund was one of the simplest ways to pay for Watergate, probably they did not think they would have to answer for it. I do not know, but it makes me suspicious when they are asked specific questions and they refuse to answer. While we are trying to find out who is guilty, we have to make institutional provisions to see that it does not happen again.

One of the best ways to begin is the way in which we appropriate the money. That is why I hope my amendment will be agreed to, and that we will comply with the position of the House.

Mr. President, I ask for the yeas and nays.

Mr. MONTROYA. Mr. President, will the Senator yield me 1 minute?

Mr. MONDALE. I am glad to yield.

The PRESIDING OFFICER. The time of the Senator from Minnesota has expired.

Mr. MONTROYA. Mr. President, I yield myself 1 minute on the bill.

As I stated before, I wanted to find out what particular employees had been paid out of this fund. I was furnished a list of the employees. As I have previously stated, the list appears on page 1778 of the Senate hearings. The names of the employees listed have not been mentioned in the course of our Watergate hearings in any way, shape, or form. So I deduced from that that no employees who were engaged in the various Watergate activities were paid from this fund.

The PRESIDING OFFICER. The time of the Senator from New Mexico has expired.

Mr. MONTROYA. I yield myself 2 additional minutes on the bill.

At the last minute, before we were to embark upon the markup of the bill by the subcommittee, we received information in an indirect way. This information was given to the minority members, but not to me, by the people downtown with respect to the special projects appropriation and the use made of it.

I shall submit the text of this memorandum, but I shall also give a résumé while I am speaking on it.

An example of a special project is contained in such memorandum, as are the types of personnel that were funded from the special projects appropriation for 1973, as follows:



The President's Foreign Intelligence Advisory Board is funded out of special projects based on the initiating Executive order of March 20, 1969.

The original Energy Office set up under Charles Di Bona. Mr. Di Bona's salary as well as that of his secretary were paid from special projects. Of course, this Office has been dissolved with the establishment of the new Office under former Governor Love.

The salary and expenses for the Interagency Classification Review Committee, of which John Eisenhower was chairman, March 8, 1972.

The President's consumer adviser, Virginia Knauer.

The White House summer intern program, which serves not only the White House, but the Domestic Council, the National Security Council, and the rest of the organizations housed in the White House-Executive Office Building complex.

Increased White House "personnel search office" required to restaff the administration after November 7, 1972.

The PRESIDING OFFICER. The Senator's additional time has expired.

Mr. MONTTOYA. I yield myself 2 additional minutes on the bill.

When the three Cabinet members were designated as counselors, they each maintained an office in the Executive Office Building. Their EOB staffs were on detail, but salaries were reimbursed to respective agencies out of the special projects appropriation.

Special projects funds also pay the salaries of the White House photographers, and the legal consultants working on the Presidential papers question.

The Advisory Committee on Federal Pay.

The Special Action Office on Drug Abuse, under Dr. Jaffe, until he obtained a congressional appropriation for his office in fiscal year 1972.

Finally, this appropriation is the only source for official reception and representation expenses for 13 organizations within the Executive Office of the President, including the White House Office.

That is the list that came from downtown, although in an indirect way, with respect to the use of this fund. I submit the data on the special projects appropriation which I previously referred to for the RECORD:

#### SPECIAL PROJECTS APPROPRIATION HISTORY

This appropriation has maintained a budget authority of \$1,500,000 except in FY 70 when the appropriation was increased by \$1,000,000 to cover the costs of switching to an "honest budget" policy.

In past years the President has found it necessary to establish a number of special projects to deal with specific problems. Some of these projects are of a temporary character but others may continue for an indefinite period. There have never been any wholly satisfactory arrangements for financing projects of this nature because they often cut across departmental responsibilities.

The establishment of a separate appropriation in the Executive Office of the President furnishes a sound method of providing fi-

nanial support for these projects and at the same time permits identification of funds in a normal budgetary procedure. This separate appropriation also consolidates these projects in one place and affords further budgetary control.

#### LIMITATIONS

To be expended at the President's discretion without regard to such provisions of law regarding the expenditure of government funds or the compensation and employment of the federal service.

Not more than 20% (\$300,000) may be used to reimburse the White House Office for administrative services.

Not to exceed \$10,000 shall be available for allocation within the Executive Office of the President for official reception and representation expenses.

#### EXAMPLES

The following are some examples of the types of personnel or projects that were funded out of the Special Projects appropriation during FY73.

The President's Foreign Intelligence Advisory Board is funded out of Special Projects based on the initiating Executive Order of March 20, 1969.

The original Energy Office set up under Charles DiBona. Mr. DiBona's salary as well as that of his secretary were paid from Special Projects. Of course, this office has been dissolved with the establishment of the new office under Governor Love.

The salary and expenses for the Interagency Classification Review Committee chaired by John Eisenhower (March 8, 1972).

The President's Consumer Advisor, Virginia Knauer.

The White House Summer Intern Program which serves not only the White House but the Domestic Council, the National Security Council, and the rest of the organizations housed in the White House/EOB complex.

The increased White House "personnel search office" required to restaff the Administration after November 7, 1972.

When the three Cabinet Members were designated as Counsellors, they each maintained an office in the Executive Office Building. Their EOB Staffs were on detail, but salaries were reimbursed to respective agencies out of the Special Projects appropriation.

Special Projects funds also pay the salaries of the White House photographers and the legal consultants working on the Presidential Papers question.

The Advisory Committee on Federal Pay.

The Special Action Office on Drug Abuse (Dr. Jaffe) until he obtained his Congressional appropriation in FY 72.

Finally, this appropriation is the only source for official reception and representation expenses for thirteen organizations within the Executive Office of the President including the White House office.

#### Summary

The Office of the Presidency needs to have special funds for the type of projects which are described above. The cost of these activities is difficult to forecast. They may not be of an emergency nature but are essential areas of interest for the President. At the same time they are not as susceptible to regular agencies of the government because they cut across the functions of the established departments. A separate appropriation is the best method of financing such activities. It gives an opportunity to consolidate these special projects in one place so that better budgetary control can be maintained.

Mr. MONDALE. Mr. President, will the Senator yield me 1 minute on the bill?

Mr. MONTTOYA. I yield 1 minute on the bill.

Mr. MONDALE. I shall make two points. First, the list which the Senator has given does not contain the names of past employees. It does not tell us what happened last year. The House asked for a list of employees during the Water-gate period. The White House refused to disclose them.

Second, from the list the Senator has read today, I gather that some of the money is used to hire lawyers to determine whether the President is liable for further income taxes on some papers that he gave to the U.S. Archives, which would be a nice service if most U.S. taxpayers could afford it.

I hope that my amendment is agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Minnesota (putting the question).

Mr. MONDALE. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Minnesota. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Florida (Mr. CHILES), the Senator from North Carolina (Mr. ERVIN), the Senator from Kentucky (Mr. HUDDLESTON), the Senator from Iowa (Mr. HUGHES), the Senator from Utah (Mr. MOSS), and the Senator from California (Mr. TUNNEY) are necessarily absent.

Mr. GRIFFIN. I announce that the Senators from Tennessee (Mr. BAKER and Mr. BROCK), the Senator from Hawaii (Mr. FONG), and the Senator from Oregon (Mr. HATFIELD) are necessarily absent.

I also announce that the Senator from Utah (Mr. BENNETT) is absent because of illness in his family.

I further announce that the Senator from Florida (Mr. GURNEY) is absent on official business.

The result was announced—yeas 36, nays 52, as follows:

[No. 373 Leg.]

#### YEAS—36

Abourezk	Cranston	Mondale
Bayh	Eagleton	Muskie
Bentsen	Fulbright	Nelson
Bible	Gravel	Pastore
Biden	Hart	Pell
Brooke	Hartke	Proxmire
Burdick	Haskell	Ribicoff
Byrd	Hathaway	Stevenson
Harry F., Jr.	Humphrey	Symington
Cannon	Kennedy	Weicker
Case	McGovern	Williams
Church	McIntyre	
Clark	Metcalf	

#### NAYS—52

Alken	Curtis	Helms
Allen	Dole	Hollings
Bartlett	Domenici	Hruska
Beall	Dominick	Inouye
Bellmon	Eastland	Jackson
Buckley	Fannin	Javits
Byrd, Robert C.	Goldwater	Johnston
Cook	Griffin	Long
Cotton	Hansen	Magnuson

Mansfield	Percy	Stennis
Mathias	Randolph	Stevens
McClellan	Roth	Taft
McClure	Saxbe	Talmadge
McGee	Schweiker	Thurmond
Montoya	Scott, Pa.	Tower
Nunn	Scott, Va.	Young
Packwood	Sparkman	
Pearson	Stafford	

## NOT VOTING—12

Baker	Ervin	Huddleston
Bennett	Fong	Hughes
Brock	Gurney	Moss
Chiles	Hatfield	Tunney

So Mr. MONDALE's amendment was rejected.

Mr. MONTTOYA. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. SPARKMAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SPARKMAN. Mr. President, I send to the desk an amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 13, line 20, strike out "\$850,000" and insert in lieu thereof "and the provisions of section 7(c) of the Act of August 16, 1973 (Public Law 93-100), \$1,036,000".

Mr. SPARKMAN. Mr. President, this is a rather simple amendment. It simply proposes to add \$186,000 for this corporation to take care of legislation which passed the Senate on May 22, to cover the expenses of the Advisory Commission that was provided for in that legislation, as recommended by the State banking supervisors and by the Federal Reserve Board. It has to do with the long, drawn-out negotiations on State taxation of national banks.

Section 5 of Public Law 93-100 approved August 16, 1973, directs the Advisory Commission on Intergovernmental Relations to make a study of all pertinent matters relating to the application of State "doing business" taxes on out-of-State depositories such as commercial banks, mutual savings banks, and savings and loan associations. The legislation containing this provision was reported by the Senate Committee on Banking, Housing and Urban Affairs on May 14, 1973, and was passed by the Senate on May 22, 1973. Because of other provisions contained in the legislation, the measure was tied up in conference until August 3, 1973. The legislation was finally signed into law by the President on August 16.

My amendment would include in the regular appropriation for the Advisory Commission on Intergovernmental Operations an additional sum of \$186,000 so that the Commission can carry forth the study directed pursuant to Public Law 93-100.

Mr. President, I hope very much my amendment will be accepted so that the Advisory Commission may proceed with the study directed by Public Law 93-100. The Commission is directed to report to the Congress its suggestions and recommendations for legislation concerning this matter no later than December 31,

1974. If there are delays in the Commission receiving the additional appropriation it needs for the purpose of making this study, the Commission will not be able to meet the deadline set in Public Law 93-100.

The additional amount my amendment seeks for the Advisory Commission on Intergovernmental Relations is very reasonable and justified when related to the importance of the subject matter of the study.

I have discussed this amendment with the chairman of the committee, and I hope he will let it move forward, because there is a fixed time by which this commission must report, and we need to get started as soon as possible.

Mr. MONTTOYA. Mr. President, I have talked with the Senator from Alabama about this amendment. I have not cleared it with my colleagues on the other side—

The PRESIDING OFFICER. The Senate will be in order. The Senator will suspend until order is restored. Senators will take their seats.

Mr. MONTTOYA. The Senator from Oklahoma (Mr. BELLMON) is not here at the present time.

Mr. YOUNG. Mr. President, in his absence, I am willing to accept it.

Mr. MONTTOYA. I understand from the ranking minority member of the Appropriations Committee, Mr. Young, that he is agreeable to the amendment, as I am, and I am willing to accept the amendment.

The PRESIDING OFFICER. Do Senators yield back the remainder of their time?

Mr. SPARKMAN. I yield back the remainder of my time.

Mr. MONTTOYA. I yield back the remainder of my time.

The PRESIDING OFFICER (Mr. HELMS). All remaining time having been yielded back, the question is on agreeing to the amendment of the Senator from Alabama.

The amendment was agreed to.

Mr. SPARKMAN. I move to reconsider the vote by which the amendment was agreed to.

Mr. MONTTOYA. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MONDALE. Mr. President, I send an amendment to the desk, cosponsored by the Senator from Missouri (Mr. EAGLETON), the Senator from Illinois (Mr. STEVENSON), the Senator from South Dakota (Mr. McGOVERN), the Senator from South Dakota (Mr. ABRAHAM), and the Senator from Alaska (Mr. GRAVEL) and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. MONDALE. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered, and the

amendment will be printed in the RECORD.

The text of the amendment is as follows:

On page 17, line 9, after the word "available" insert a comma and the following: "after approval by the House and Senate Committees on Appropriations."

Mr. MONDALE. Mr. President, this amendment is a simple one which would conform to the Senate Appropriations Committee's language with that now contained in the House bill so that public money spent on the private property of the President for security-related purposes would have to be cleared with the House and Senate Appropriations Committees.

Mr. President, it has been falsely charged that the President does not want to spend public money on housing. That is false. He is willing to spend a good deal of public money on housing, provided it is located in San Clemente or in Key Biscayne.

What the amendment is designed to do is to make certain that the money is spent for public purposes and not for purposes of private enrichment.

Mr. President, over the past few months we have witnessed an incredible series of events in the administration's attempts to explain just how much taxpayers' money has gone into San Clemente, Key Biscayne, and other private residences used by the President and his family.

In particular, expenditures by the General Services Administration—whose appropriation we are taking up today—have been most interesting. Starting in May, with a GSA estimate of \$39,000, we have seen a constant and striking escalation of estimates—an inflation which puts even the soaring rate of inflation in our economy to shame.

The May estimate of \$39,000—which the GSA now states was only intended to cover a limited number of items—escalated to a June estimate of \$1,883,000. Then in early August came another jump, this time to \$3,691,000. All of these expenditures, according to the GSA, are directly related to Presidential security. Whether this is indeed the end—only time will tell.

Some of these expenditures are familiar—and have caused a good deal of outrage among the American public.

How is installation of a \$2,000 flagpole designed to enhance Presidential security? Or the expenditure of \$3,000 on topographical surveys of San Clemente? Or over \$8,000 on golf carts for the Secret Service at Key Biscayne? Or \$2,000 on correcting beach erosion or over \$600 on purchase of an icemaker for the Secret Service? Why should the public pay for seemingly normal maintenance functions such as \$9,000 to remove dry weeds or \$4,000 to remove dead plantings at San Clemente? And why should taxpayers spend over \$16,000 to provide security-related improvements on the island of a wealthy personal friend of the President's?

Yet, disturbing as these and many



other individual expenditures may be, an important principle is involved—an issue which goes beyond taxpayers' money being spent on furniture for a President's den or golf carts for the Secret Service.

No one wishes in any way to skimp on legitimate expenditures necessary for the protection of the President. And the GSA correctly states that their expenditures on San Clemente, Key Biscayne, and other Presidential pleasure retreats were necessitated by the requests which they received from the Secret Service to make such expenditures.

The life of a President is a most precious thing, and no Member of this body—nor any American citizen—would want that protection to be inadequate.

Various accounts have been given by those who have seen the improvements. And there is little doubt that many of these expenditures are necessary to provide adequate Presidential security.

But the huge sums involved—almost \$4 million spent by GSA alone—raise the question of how necessary all these improvements really were for the protection of the President.

Why should we in Congress continue to allow large amounts of taxpayers' dollars to be spent without any congressional control over these expenditures? And why should the appropriate congressional committees not have a broader oversight role in insuring that when money is spent on Presidential security—that it really is devoted to safety and not personal luxury?

The House, when it adopted the bill before us today, saw fit to adopt just such a provision, to require that the Appropriations Committees must be consulted before so-called security-related improvements are made on private property.

This amendment, it seems to me, is a minimal, reasonable kind of restriction that assures that extravagant expenditures out of public funds not truly related to security will not occur. It does not deal with expenditures on public property.

The committee-reported bill has deleted it. The amendment I am offering would simply restore the House provision, and give the Appropriations Committees of the House and Senate approval power over security-related improvements made by GSA to private property.

In fact, this amendment is only a beginning in assuring accountability in the expenditure of public moneys appropriated for Presidential activities. It raises broader questions which—while not reachable in this particular appropriations bill—must be explored.

The largest single expenditure by the General Services Administration, as listed in its report of August 6, was \$1,700,000 for the Western White House Office complex, erected on Coast Guard property adjacent to the President's home at San Clemente. This expenditure is not on private property and hence not covered by the amendment I am offering.

But it raises a more complex issue,

which should be the subject of congressional inquiry, and hopefully eventual legislation. The issue is simple—should the taxpayers of this country be forced to pay large amounts of money for the construction of office facilities which largely duplicate those existing for the President in other locations, simply because a President decides that he wishes to transact official business at a variety of locations? And should American taxpayers be forced to pay huge transportation bills to ferry White House personnel and others to these locations at Government expense?

I suppose the question fundamentally is, How many White Houses do we need?

The second question is, what should be the role of Congress in determining how many commitments for carrying all these expenses should be made solely by the President?

There was an interesting and, I thought, compelling editorial published in the Washington Post on Aug. 8, 1973, which asked the question, "How Many White Houses Does the President Need?" It points out there are already available to the President a range of personal places, such as the White House, Camp David, military bases, and all the rest; and that, in addition, this President, perhaps for the first time in American history, has set up in effect two separate White Houses outside of Washington, D.C., and has caused to be spent in each one of them vast sums for office complexes and for the necessary security.

This amendment does not seek to roll back any of the expenditures that have been made. It does not seek to establish a policy at this time but it does, through the requirement of reporting and consultation, get Congress into the act so that we can start to deliberate and determine what the proper policy should be.

Mr. President, I ask unanimous consent to have this editorial printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

#### MORE ON MR. NIXON'S LIVING COSTS

Would you believe \$10 million? That is the rough total of federal outlays on Nixon family dwellings and "compounds" revealed by government spokesmen on Monday. Inflation has really gripped these amounts, at least so far as their disclosure is concerned: in May we knew only of an expenditure of \$39,525 at the presidential home in San Clemente; by June we were talking about a \$1.3 million GSA bill for services rendered at San Clemente and Key Biscayne; now we have the approximate sum of \$10 million paid out by various agencies of government for expenses incurred in connection with those dwellings as well as with the Grand Cay (Bahamas) retreat and for some relatively minor expenses connected with the private homes of the President's two daughters.

Mr. Arthur F. Sampson, administrator of the GSA, asserted Monday that this rate of inflation had something to do with confusing press coverage of government disclosures, and we are prepared to concede that confusing—not to say, reluctant—government disclosures may well have been made more confusing by the press. We have even

less quarrel (in fact, none at all) with Mr. Sampson's assertion of the importance of affording security to the President of the United States and his family and of maintaining communications equipment that will keep the President effectively in touch with all he needs to know. But to say as much is to say the obvious—and it is also to say the irrelevant. The quarrel is about something else.

How many "White Houses" does the President need? Essentially that is the issue that has been raised. If you were to ask the average American whether he would approve the expenditure of an extra \$10 million from the public purse to protect a President's life and well-being and his ability to discharge his duties effectively, he would doubtless answer yes—who wouldn't? But what we are talking about here is the casual multiplication of presidential dwellings, the conversion of private residences into government complexes and the investment of great sums in them to suit the presidential wanderlust and whim.

We will leave aside for the time being one aspect of the ongoing controversy to which we have addressed ourselves before, namely, the expenditure of government funds for certain house-and-garden items that, in our opinion, Mr. Nixon should clearly have paid for himself. They came to a pretty penny, but—as Mr. Sampson seemed most eager to point out—amounted to only a fraction of the total costs incurred, costs that had much more to do with the installation of government offices, communications equipment and the rest. The GSA administrator appeared to believe that by emphasizing the relative magnitude of costs directly and indisputably connected with the functioning of government in Mr. Nixon's far-flung retreats, he was making those costs acceptable.

But he was not. On the contrary, emphasis on how expensive it is to set up suitable presidential living and working quarters around the country only suggests to us that it is not a particularly advisable thing to do. Surely President Nixon, who has been so staunch a public foe of profligacy, indulgence and waste and who has asked so many Americans to make so many sacrifices of their own in terms of comfort, convenience and even health, should not feel cramped by the official quarters to which he is entitled—the White House and Camp David. In this connection we would add that there is one confusion which the press (ourselves included) has helped perpetuate and which Mr. Sampson did not mention—no doubt because he shares it himself. "GSA," he said, "has endeavored to develop, maintain and operate the Western White House complex as a facility appropriate in quality for the President . . ."

The "Western White House?" Surely there is no "Western White House" any more than there is (another sloven phrase we all indulge) a "Florida White House" or than there ever was a "Texas White House." What there is is a White House—and a very satisfactory retreat at Camp David. If these are not sufficient to the purposes of a sitting President, he should openly inform the Congress and the public of that fact and inquire as to whether they wish to approve the expenditure of public funds for the creation of new public facilities. That is not the same thing as converting private residences into mini-White Houses with the help of taxpayers' money.

Mr. MONDALE. Mr. President, Newsweek magazine recently reported that the 5 weeks that Mr. Nixon has spent in San Clemente so far this year have cost the American taxpayers over \$1 million in

extra travel bills. And the continuing high levels of expenditures on the Western White House office complex add daily to this bill.

Mr. President, there are adequate office facilities available in Washington and Camp David for Presidential use. Should we in Congress not attempt to impose some control on the number of Presidential residences which are turned into White Houses away from home—for which the American taxpayer must pick up the tab?

No one wishes to deny the occupant of the most tension-filled office in the world the right to relax. But there is a difference between Presidential residences designed for and paid for by the President, for his personal use—and massive additional White House office complexes paid for by the American taxpayers.

I hope there will be congressional inquiry into these broader problems. In the meanwhile, we should begin to gain some degree of control over money spent by the General Services Administration on functions related to Presidential security by requiring approval by the House and Senate Appropriations Committees over these expenditures.

This is a start, perhaps only a small start, toward insuring greater White House accountability in the way in which our tax dollars are spent.

Mr. MONTOYA. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from New Mexico is recognized for 5 minutes.

Mr. MONTOYA. Mr. President, I rise to oppose the amendment. I want to explain why the committee saw fit to remove the restriction placed by the House on the bill with respect to the expenditure of funds for these purposes.

The committee was advised that such a restriction as embodied in the words "after approval by the House and Senate Committees on Appropriations," was unconstitutional, and had been ruled so by the Attorney General. The Congress had respected the opinion completely in other legislation which had come before the Congress. I recall that this matter came before us on the Public Works Committee and after we received the opinion of the Attorney General with respect to the unconstitutionality of such a requirement, the Public Works Committee agreed to respect the opinion of the Attorney General. I believe it is sound, because the requirement that the Senator wishes to impose through his amendment is opposed first by the GSA. It is a requirement which imposes on a committee of Congress to perform executive duties which exclusively belong to the executive department of the Government.

I cannot envision the Framers of our Constitution authorizing a committee of Congress to impose conditions whereby it would take executive functions away from the President, and this would be an executive function—to approve or disapprove any expenditures within this item

and that they be submitted to the Committees on Appropriations of the House and the Senate for such approval or rejection.

The congressional committees should not superimpose their will or administer funds after Congress has appropriated these funds. It would be highly impractical and virtually impossible for the Appropriations Committees to meet every time an expenditure is proposed under this particular item. It would be too difficult. We do not have the staff to determine whether this piece of equipment or that piece of equipment or this electronic device or that is proper in the protection of the President.

That is why I believe the Attorney General properly ruled that such a restriction would be unconstitutional and would be an assumption of Executive power on the part of Congress. I will read part of the opinion, but I do not want to prolong the debate. This is what Attorney General Kleindienst ruled on April 24, 1972:

Limiting my views solely to the legal question, it is my opinion that the committee approval provisions of section 5 (f) and (h) are unconstitutional. Of course, there would be no legal objection to the imposition of a provision requiring that contracts be submitted to the committees and that they not be carried out for a reasonable period thereby giving Congress the opportunity to disapprove the contract by legislative enactment.

In view of the Attorney General's opinion, and in view of the recommendation by the General Services Administration that they certainly could not work with this type of provision, especially in view of its unconstitutionality, I would oppose the amendment.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. MONTOYA. I yield myself 2 additional minutes.

Mr. President, I agree with the Senator from Minnesota that there has been an abuse. I think it is patently clear that there has been an abuse in the use of taxpayers' money, as he has mentioned. The congressional committees will look into it, no doubt. One committee in the House is already looking into these expenditures. If taxpayers' money was used improperly, I presume that there will be lawsuits by the Government to recover part of the money expended in behalf of private parties, as the Senator from Minnesota has indicated. But I do not believe that we should put in an appropriation bill a restriction that is unconstitutional.

During the hearings next year, I will attempt to exact from GSA complete details as to how these expenditures were made, why they were made, and whether there was any legal justification for the expenditures. I think Congress is entitled to know the answers to these questions. I certainly will go into this in complete detail. But in view of the apparent unconstitutionality of the provision, I would have to oppose this amendment.

I am sorry to have to oppose my good friend, the Senator from Minnesota,

whose words have been most informative, most instructive, and elucidating. I agree with him almost wholeheartedly in what he has said, but I do not agree with him on the approach he has taken to cure the ills about which he speaks.

Mr. MONDALE. I must say that the Senator has been carrying the day.

Mr. President, personally, I do not find the constitutional argument persuasive. It is one of the difficulties of this administration that they have had a great number of Attorneys General, Mr. Kleindienst being the one who issued this opinion.

I do not see any constitutional problem here. I think there is precedent for it. In the Public Buildings Act of 1972 we have precisely the same requirement.

In any event, what I propose to do is to modify my amendment to provide for notification to the House and Senate Committees on Appropriations, rather than approval, so that while they would not have to go through the approval process which the Attorney General said is unconstitutional—although I disagree with that—they would have to notify the House and Senate Appropriations Committees, which would then be aware of what they have in mind. I do not see how that conceivably could be said to be anything other than providing for the continuing interest of Congress in being advised of Executive actions.

I would hope that, as modified, the distinguished manager of the bill might accept this amendment.

Mr. MONTOYA. In view of the fact that the distinguished Senator from Minnesota has walked over the fence into the pasture of constitutionality, I would accept it.

Mr. MONDALE. This is a wonderful day for me.

Mr. MONTOYA. Subject to the language being approved, specifically.

The PRESIDING OFFICER. Does the Senator so modify his amendment?

Mr. MONDALE. Mr. President, I modify my amendment to read as follows:

On page 17, line 9, after the word "available," insert a comma and the following: "after notice to the House and Senate Committees on Appropriations."

So that it is notice and not approval that is required. I so modify my amendment.

The PRESIDING OFFICER. The amendment is so modified.

Mr. MONTOYA. I still see the roots of unconstitutionality here.

Mr. MONDALE. I was afraid the Senator would.

Mr. MONTOYA. Perhaps the Senator will agree to this language: that this appropriation shall be available and that when there are expenditures under this appropriation, the House and Senate Committees on Appropriations shall be so notified.

Mr. MONDALE. Does the Senator contemplate after expenditures or before?

Mr. MONTOYA. If it is before, we face the test of constitutionality, as I have indicated.



Mr. BROOKE. Mr. President, will the Senator yield for a question?

Mr. MONDALE. I yield.

Mr. BROOKE. Does not the Senator from Minnesota's modification of his amendment fall within the purview of the Kleindienst opinion so far as contracts are concerned? Does it not fit under that language? The Senator read some portion of the Kleindienst opinion, which in my view would accommodate the Mondale modification. Is that not possible?

Mr. MONTOYA. The Kleindienst opinion is directed at the requirements for approval before any expenditure is made. That is the exact wording of the Kleindienst opinion.

Mr. BROOKE. What about the portion the Senator read pertaining to the contracts?

Mr. MONTOYA. The Kleindienst opinion does not find that objectionable.

Mr. BROOKE. What is the time of the contract?

Mr. MONTOYA. Thirty days.

Mr. BROOKE. Before or after?

Mr. MONTOYA. When the contracts are awarded notice thereof must be given to the Committee on Public Works of both houses of Congress and after expiration of 30 days they are valid; but the idea of the 30 days is to give the committees time to propose legislation in opposition to the contracts prior to final formalization.

Mr. BROOKE. Could not the same thing be done under the proposal of the Senator from Minnesota?

Mr. MONTOYA. Absolutely, but he is not doing that.

Mr. BROOKE. Would the Senator accept that?

Mr. MONDALE. Would the Senator repeat his question?

Mr. BROOKE. In order to comply with the Kleindienst opinion I am suggesting the notification be given 30 days thereafter before the work would commence.

Mr. MONDALE. That would be fine. I am trying to get it open to the public process.

Mr. BROOKE. We do not want a lot of lawsuits. We want to prevent any future actions that might be embarrassing to the President on any improper expenditure of public funds. We do not want the horse out of the barn before we do something about it. That is what I understand the Senator's modification to be.

Mr. MONDALE. The Senator is correct.

Mr. BELLMON. Mr. President, will the Senator yield?

Mr. MONTOYA. I yield.

Mr. BELLMON. I would like to suggest to the Senate to move cautiously in this area. Let us assume the Secret Service proposes an expenditure on private property, that the request comes to the Senate, and then in 30 days goes into effect; and during that time the President is injured or killed because of the lack of the facility they wanted to install. I think we place Congress in an untenable position. I think we would be better off to let the Secret Service use its

judgment and then review what they have done after they have made the improvement.

Mr. MONTOYA. Would the Senator from Minnesota agree to a requirement that the Government Services Administration render a report periodically, say every 3 months after the expenditure is made with respect to the items on page 17? I think that would fulfill the purpose.

Mr. MONDALE. Perhaps we can have a quorum call to see if we can work it out.

Mr. MONTOYA. It is similar to the provision we have in the special projects appropriation account.

Mr. MONDALE. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 2 minutes remaining.

Mr. MONTOYA. In other words, the proviso to which I refer and which I think would be proper here and accomplish the purpose the Senator has in mind would be as follows:

*Provided further, That the Committees on Appropriations of the Senate and the House of Representatives shall be furnished quarterly with a detailed accounting of expenditures made from these funds.*

Mr. MONDALE. Would that report be public under that provision?

Mr. MONTOYA. Absolutely.

Mr. MONDALE. I will accept the substitution. Mr. President, I modify my amendment accordingly.

The PRESIDING OFFICER. Will the Senator from New Mexico send the modification to the desk?

Mr. MONTOYA. Yes. On page 17, line 19, after the word "purposes" insert the following:

*: Provided further, That the Committees on Appropriations of the Senate and the House of Representatives shall be furnished quarterly with a detailed accounting of expenditures made from these funds.*

The PRESIDING OFFICER. Will the Senator send the modification to the desk?

Mr. MONTOYA. Yes. Is that agreeable?

Mr. MONDALE. Yes. I modify my amendment accordingly. I yield back my time.

Mr. President, did we ask for the yeas and nays?

The PRESIDING OFFICER. The yeas and nays have not been requested.

Mr. MONTOYA. In view of the change in the amendment I would be willing to accept the amendment if my colleague would accept it.

Mr. BELLMON. I accept the amendment.

Mr. MONTOYA. I yield back the remainder of my time.

The PRESIDING OFFICER. All time is yielded back. The question is on agreeing to the amendment of the Senator from Minnesota as modified.

The amendment as modified was agreed to.

Mr. MONDALE. Mr. President, I send to the desk an amendment.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. MONDALE. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and, without objection, the amendment will be printed in the RECORD.

The amendment, ordered to be printed in the RECORD, is as follows:

On page 10, line 12, strike out "\$2,802,000" and insert in lieu thereof "\$1,802,000".

Mr. MONDALE. Mr. President, I expect to withdraw the amendment in 5 minutes.

My reason in proposing these amendments is that I think the warnings of such persons as George Reedy and others who have studied the institution of the White House can no longer be ignored. We have created an institution which permits its occupant to escape from reality, to hide behind the grandeur of the White House, behind its elaborate constitutional and legal protections, behind its fantastic budgetary powers and other powers. We have created an institution in which its occupant can start a war, can bomb, can spend, can wiretap, can deceive, can break into doctors' offices, can have an Attorney General who will use his powers in ways to undermine the laws; and we have seen in many, many ways the danger warnings about this Presidential institution that we have created.

Mr. President, I want a strong President. I want a President who is sufficiently strong in his powers to deal in the vast range of domestic and foreign affairs, but I think what we need above all is a strong President whose office is open, public, constitutional, and responsive to the American people. I am afraid that this is what we are increasingly losing as we grant the President power, as we appropriate money without tying those powers and moneys down in a way that the President remains accountable, remains open, and remains public.

Recently, John Gardner said that the President has created a curious and unprecedented one-way communication with the American people; he can reach us but we cannot reach him; we can see him, but he cannot hear us; he is always with us but there is no dialog.

Whether it was the day we let him take the Bureau of the Budget and bring it into the White House, whether it was the day there was created the Domestic Council which took many powers of HEW and Labor and brought them into the White House, or the day we permitted him to expand the National Security Council from a modest advisory body to what, in effect, was a separate and independent Department of State, in many different ways Congress wittingly or unwittingly contributed to an institution which was able, until Watergate, to humiliate, ignore, and disregard laws we adopted, money we appropriated, and the very terms of legislation he himself has often signed into law.

It may not happen again but I think it might, and if we do not learn from Watergate other than just punishing the wrongdoers, if we do not reform the institution so it cannot happen again, I believe we will have several Watergates in the future, perhaps more and worse than we have seen today.

We have had too close a call with American democracy this time. And at the heart of the success of Watergate strategy was a White House with so much power, with so much money, without limits, that they could carry on this fantastic array of activities without anyone even knowing about it; and it was really only an accident that permitted us to stub our toes on it in the first place.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MONDALE. If I may have 1 more minute, therefore I hope, as we deal with these budgets and as we create a new dialog with the President, whoever he may be, with this experience in mind, that we reshape that office and that we deal with it in a way that it will become open, legal, constitutional, and above all, be back in control of the American people.

I thank the distinguished floor manager for his courtesy and generosity. I withdraw the amendment and yield the floor.

The PRESIDING OFFICER. Does the Senator withdraw his amendment?

Mr. MONDALE. I withdraw my amendment.

Mr. MONTOYA. Mr. President, I call up my amendment, on behalf of myself and Senators McCLELLAN, RANDOLPH, and BELLMON.

The PRESIDING OFFICER. The amendment will be read.

The assistant legislative clerk read the amendment, as follows:

On page 7, line 18, strike out "\$100,000,000" and insert in lieu thereof "\$400,000,000".

Mr. MONTOYA. Mr. President, by way of brief explanation, this amendment is with respect to disaster relief. The President in his initial budget request asked Congress to appropriate \$100 million, and in the intervening months we had 36 different disaster situations throughout the country, including the Mississippi floods. Just recently, since we marked up the bill, the President submitted a revised budget request to reflect an increase of \$300 million over the initial request of \$100 million, so that the total would be \$400 million.

That is the purpose of my amendment. It is felt, not only by me but by other members of the committee, that this money is needed.

Last year, I believe, when we had Hurricane Agnes, we appropriated at different intervals during the year approximately \$600 million. The damage caused by the recent floods along the Mississippi Delta have been very severe. There

is a great demand for these funds at the present time.

So, in view of the urgency of the situation, I want to say that I have consulted with my colleague on the minority side and we have agreed to this amendment.

SENATOR RANDOLPH SPONSORS DISASTER RELIEF AMENDMENT

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. MONTOYA. I yield to the Senator from West Virginia.

Mr. RANDOLPH. Is the Senator yielding time to me on his amendment?

Mr. MONTOYA. I will yield time on the amendment, if the Senator wishes.

Mr. RANDOLPH. I would appreciate it. I shall be very brief.

Mr. President, I commend the author of the amendment and appreciate the fact that I am privileged to cosponsor it. I think in this amendment we attempt to meet the administration's request. It is a request which I think is justified, because the money will go to communities and to persons who suffer from these disasters.

We have made great strides in recent years in providing the Federal Government with a mechanism to respond quickly and effectively when disasters strike. The Disaster Relief Act of 1970 was developed by the Committee on Public Works on which the Senator from New Mexico serves. This statute was the result of several years' work and for the first time established procedures for placing disaster relief activities into operation without delay.

In the past 3 years there has been, I believe, considerable success in implementing this act. Forecasting the incidence of disaster in any single year is, of course, impossible. Therefore, when we provide urgently needed disaster relief, we must pay the bill.

Last year the number of disasters was far above average and additional appropriations were required. During 1973 we have, unfortunately, experienced a number of devastating and costly disasters. It is to facilitate the recovery from these disasters and the return to normal that these additional funds are being sought today.

Mr. President, this is an appropriate time for me to bring the Senate up to date on the activities of the committee with regard to legislation in this field. Early in the 93d Congress our Subcommittee on Disaster Relief was reestablished under the able chairmanship of Senator QUENTIN BURDICK of North Dakota. The subcommittee immediately began to review the operation of the 1970 act and to determine if amendments were necessary.

Hearings were held in locations that have recently experienced disasters—Biloxi, Miss.; Rapid City, S. Dak.; Wilkes-Barre, Pa.; and Elmira, N.Y.

Senator BURDICK will conduct 3 days of

hearings in Washington next week to discuss specific legislative proposals relating to the Disaster Relief Act. I am confident that his subcommittee will weigh testimony carefully and review the proposals in acting to improve what I believe to be already effective law.

So I join the Senator from New Mexico, chairman of the subcommittee in charge of this bill, in urging adoption of the amendment, which has already been agreed to by himself and the ranking Republican member of the subcommittee.

Mr. MONTOYA. Mr. President, I thank the distinguished Senator from West Virginia for his contribution. I know that he has been an ardent supporter of disaster relief throughout the years—at least during the years I have served on the Public Works Committee. I commend him for it and thank him for offering his support at this time.

Mr. President, in order to supplement State and local government efforts to alleviate the suffering and damage resulting from major natural disasters, the President is empowered, under the provisions of the Disaster Relief Act of 1970, as amended, Public Law 91-606, and Public Law 92-385, to determine whether a disaster is of sufficient magnitude to warrant Federal aid. The President has delegated the responsibility for coordinating all such Federal assistance to the Secretary of the Department of Housing and Urban Development. Disaster relief is provided, in accordance with statutory authority, with the moneys appropriated to the President's Disaster Relief Fund, administered by the Federal Disaster Assistance Administration in HUD.

During the period January 1–August 24, 1973, the President has declared 39 major disasters in 28 States. Of this total, 32 were declared prior to June 30 and 7 have been declared since July 1. In addition, predisaster assistance has been made available to California to prevent the threat of fire in 2,800 acres of dead and damaged eucalyptus trees; and fire suppression grant assistance has been authorized for Montana and Oregon.

Perhaps the most dramatic disaster activity of the past spring has been the flooding and shoreline erosion which occurred along the Great Lakes and the flooding in the Missouri and Mississippi River Valleys. In the first case, high winds and rain, combined with the highest water levels in the Great Lakes in recorded history, caused substantial damage along the shorelines of New York, Ohio, and Michigan. In the second instance, heavy and continued rains over the Central United States resulted in extensive flood damage along the Missouri River and floods of record level along the Mississippi River.

This has resulted in disaster declarations for the States of Mississippi, Missouri, Illinois, Louisiana, Arkansas, Kentucky, Tennessee, and Iowa. A complete list of disasters declared by the President



in fiscal year 1973 and in fiscal year 1974 to date has been included as part of this justification.

The passage by Congress of the second supplemental appropriations bill for fiscal year 1973 brought total appropriations to the President's Disaster Relief Fund in that year to \$592.5 million. The \$100 million appropriated in this supplemental, which was submitted in January, represented the best estimates at that time of the funding requirements for disaster relief. While these funds have played a key role in meeting the most immediate relief requirements for disasters declared since January, the major impact of this unprecedented number of declarations, in terms of funding requirements, will be experienced during the first and second quarters of fiscal year 1974. The current estimates of fund requirements for disasters which have been declared to date, when matched against funds which are currently available or anticipated, indicate the need for \$300 million in addition to the \$100 million which has previously been requested. The derivation of this requirement is exhibited in a table which accompanies this justification, which I ask unanimous consent to have printed in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

**DISASTERS DECLARED, FISCAL YEARS, 1973**  
State, type of disaster and date declared.  
Arizona, severe storms and flooding, July 3, 1972.  
West Virginia, severe storms and flooding, July 3, 1972.  
Ohio, severe storms and flooding, July 19, 1972.  
New Mexico, severe storms and flooding, Aug. 1, 1972.  
Minnesota, severe storms and flooding, Aug. 1, 1972.  
Iowa, severe storms and flooding, Aug. 18, 1972.  
West Virginia, heavy rains and flooding, Aug. 23, 1972.  
Minnesota, severe storms and flooding, Aug. 25, 1972.  
Illinois, severe storms and flooding, Sept. 4, 1972.

Wisconsin, severe storms and flooding, Sept. 10, 1972.  
New Mexico, heavy rains and flooding, Sept. 20, 1972.  
Iowa, severe storms and flooding, Sept. 26, 1972.  
Maine, toxic algae, Sept. 28, 1972.  
Massachusetts, toxic algae, Sept. 28, 1972.  
Pennsylvania, heavy rains and flooding, Oct. 2, 1972.  
Virginia, severe storms and flooding, Oct. 7, 1972.  
Virginia, severe storms and flooding, Oct. 10, 1972.  
Arizona, heavy rains and flooding, Oct. 25, 1972.  
New Mexico, heavy rains and flooding, Nov. 20, 1972.  
Ohio, severe storms and flooding, Nov. 24, 1972.  
Michigan, severe storms and flooding, Dec. 1, 1972.  
California, severe storms and flooding, Feb. 8, 1973.  
Texas, tornadoes, high winds, and flooding, Mar. 12, 1973.  
Tennessee, heavy rains and flooding, Mar. 21, 1973.  
New York, high winds, wave action, and flooding, Mar. 21, 1973.  
Mississippi, heavy rains and flooding, Mar. 27, 1973.  
Alabama, severe flooding and tornadoes, Mar. 27, 1973.  
Georgia, severe flooding and tornadoes, April 4, 1973.  
Michigan, severe storms and flooding, April 12, 1973.  
Missouri, heavy rains and flooding, April 19, 1973.  
Illinois, severe storms and flooding, April 26, 1973.  
Louisiana, severe storms and flooding, April 27, 1973.  
Arkansas, severe storms and flooding, April 27, 1973.  
Wisconsin, severe storms and flooding, April 27, 1973.  
Ohio, severe storms and flooding, April 27, 1973.  
Kansas, severe storms, snow melt, and flooding, May 2, 1973.  
Colorado, dam failure, May 8, 1973.  
New Mexico, severe storms, snow melt, and flooding, May 11, 1973.  
Kentucky, severe storms and flooding, May 11, 1973.  
Tennessee, severe storms and flooding, May 11, 1973.

Hawaii, earthquake, May 16, 1973.  
Maine, heavy rains and flooding, May 23, 1973.  
Colorado, heavy rains, snow melt, and flooding, May 23, 1973.  
Iowa, severe storms and flooding, May 23, 1973.  
Florida, severe storms and flooding, May 26, 1973.  
Alabama, severe storms and flooding, May 29, 1973.  
Arkansas, severe storms and flooding, May 29, 1973.  
Ohio, mudslides, June 6, 1973.  
Georgia, severe storms and tornadoes, June 11, 1973.  
Oklahoma, severe storms, flooding, and tornadoes, June 13, 1973.  
Texas, severe storms and flooding, June 25, 1973.  
North Carolina, severe storms and flooding, June 25, 1973.  
Tennessee, severe storms and flooding, June 28, 1973.

**DISASTERS DECLARED, FY 1974 (THROUGH AUGUST 24, 1973)**

State, type of disaster, date declared.  
Colorado, severe flooding and landslides, July 6, 1973.  
Vermont, severe storms, flooding, and landslides, July 6, 1973.  
Texas, severe storms and flooding, July 11, 1973.  
New Hampshire, severe storms and flooding, July 11, 1973.  
Pennsylvania, severe storms and flooding, July 17, 1973.  
New York, severe storms and flooding, July 20, 1973.  
New Jersey, severe storms and flooding, Aug. 7, 1973.

**PRE-DISASTER ASSISTANCE (SECTION 221, PL 91-606)**

State, reason, date authorized.  
California, threat of fire, May 25, 1973.

**FIRE SUPPRESSION ASSISTANCE (SECTION 225, PL 91-606)**

State, fire, date authorized.  
Montana, Prewitt Creek, Aug. 16, 1973.  
Oregon, Rocky Creek, Aug. 17, 1973.  
Oregon, Perry Canyon, Aug. 17, 1973.  
Montana, Goat Creek, Aug. 18, 1973.  
Oregon, Klamath Falls, Aug. 20, 1973.  
Montana, Pleasant Valley, Aug. 23, 1973.

**ESTIMATED REQUIREMENTS—DISASTER RELIEF FISCAL YEAR 1974**

[Dollar amounts in thousands]

State	Number	Total estimated requirements	Less: Obligations <sup>1</sup>	Fiscal year 1974 requirements	State	Number	Total estimated requirements	Less: Obligations <sup>1</sup>	Fiscal year 1974 requirements
New Jersey	245	1,285	1,224	61	New Hampshire	327	350	346	4
California	253	101,750	100,268	1,482	Washington	328	2,310	2,304	6
Minnesota	255	4,730	4,697	33	California	329	2,748	2,087	661
California	270	3,200	3,069	131	Michigan	330	1,410	1,245	165
Mississippi	271	74,925	74,918	7	Tennessee	331	400	326	74
Virginia	274	9,900	9,419	481	Texas	333	2,442	2,206	236
Illinois	276	2,305	2,285	20	Washington	334	3,150	3,142	8
California	283	6,696	6,572	124	North Dakota	335	350	282	68
California	295	11,650	11,170	480	South Dakota	336	30,000	26,323	3,677
Puerto Rico	296	18,970	17,983	987	Florida	337	3,300	3,233	67
Virgin Islands	298	2,420	2,396	24	New York	338	102,250	83,474	18,776
California	299	155,860	66,553	89,307	Virginia	339	20,777	19,103	1,674
Oregon	301	820	727	93	Pennsylvania	340	456,200	235,034	221,166
Mississippi	302	4,325	4,319	6	Maryland	341	24,289	22,570	1,719
Trust territory	307	4,915	2,601	2,314	California	342	7,670	4,735	2,935
Maryland	309	4,890	3,586	1,304	Arizona	343	530	511	19
New Jersey	310	14,300	13,212	1,088	West Virginia	344	1,497	1,427	70
New York	311	5,400	5,232	168	Ohio	345	1,535	1,335	200
Pennsylvania	312	5,340	4,888	452	New Mexico	346	220	205	15
Texas	313	5,690	5,369	321	Minnesota	347	2,145	2,136	9
California	316	700	550	150	Iowa	348	1,400	667	733
Mississippi	318	679	656	23	West Virginia	349	1,641	1,192	449
Oregon	319	8,720	8,296	424	Minnesota	350	4,765	3,391	1,374
Washington	322	2,337	2,273	64	Illinois	351	1,257	1,108	149
West Virginia	323	4,625	2,639	1,986	Wisconsin	352	521	514	7
Idaho	324	423	418	5	New Mexico	353	600	582	18
Massachusetts	325	7,800	7,681	119	Iowa	354	2,350	997	1,353
Maine	326	895	822	73	Pennsylvania	355	150	147	3

Footnote at end of table.

## ESTIMATED REQUIREMENTS—DISASTER RELIEF FISCAL YEAR 1974—Continued

[Dollar amounts in thousands]

State	Number	Total estimated requirements	Less: Obligations <sup>1</sup>	Fiscal year 1974 requirements	State	Number	Total estimated requirements	Less: Obligations <sup>1</sup>	Fiscal year 1974 requirements
Virginia.....	358	750	609	141	Florida.....	387	1,200	1,110	90
Virginia.....	359	1,542	1,325	217	Alabama.....	388	850	774	76
Arizona.....	360	2,835	371	2,464	Arkansas.....	389	1,375	808	567
New Mexico.....	361	400	361	39	Ohio.....	390	2,258	200	2,058
Ohio.....	362	2,225	1,464	761	Georgia.....	391	274	205	69
Michigan.....	363	1,300	703	597	Oklahoma.....	392	2,000	10	1,990
California.....	364	5,299	2,683	2,616	Texas.....	393	715	43	672
Texas.....	365	600	156	444	North Carolina.....	394	700	41	659
Tennessee.....	366	5,028	4,033	995	Tennessee.....	395	1,400	98	1,302
New York.....	367	2,000	1,172	828	Colorado.....	396	829	189	640
Mississippi.....	368	6,500	5,267	1,233	Vermont.....	397	14,000	79	13,921
Alabama.....	369	1,914	1,768	146	Texas.....	398	2,870	15	2,855
Georgia.....	370	1,494	808	686	New Hampshire.....	399	3,900	5	3,895
Michigan.....	371	1,000	667	333	Pennsylvania.....	400	2,584		2,584
Missouri.....	372	9,100	6,101	2,999	New York.....	401	3,500		3,500
Illinois.....	373	14,000	1,468	12,532	New Jersey.....	402	4,000		4,000
Louisiana.....	374	10,000	4,368	5,632					
Arkansas.....	375	3,250	2,634	616	Total declared disasters.....		1,269,216	829,765	439,451
Wisconsin.....	376	2,781	175	2,606	Estimated requirements for future fiscal year 1974 declarations.....				99,712
Ohio.....	377	600	389	211	Total estimated fiscal year 1974 requirements.....				539,163
Kansas.....	378	1,996	761	1,235	Less:				
Colorado.....	379	750	705	45	Unobligated balances available, July 31, 1973.....				138,023
New Mexico.....	380	950	211	739	Current fiscal year 1974 request.....				100,000
Kentucky.....	381	510	402	108	Estimated recovery of prior years' obligations.....				1,140
Tennessee.....	382	2,036	860	1,176	Fiscal year 1974 budget amendment.....				300,000
Hawaii.....	383	1,540	1,257	283					
Maine.....	384	750	266	484					
Colorado.....	385	2,000	689	1,311					
Iowa.....	386	1,804	70	1,734					

<sup>1</sup> As of July 31, 1973.

## FUNDS APPROPRIATED TO THE PRESIDENT, DISASTER RELIEF

	Request pending	Proposed amendment	Revised request
Disaster relief.....	\$100,000,000	\$300,000,000	\$400,000,000
PROGRAM AND FINANCING (IN THOUSANDS OF DOLLARS)			
	Request pending	Proposed amendment	Revised request
Program by activities:			
1. Administration.....	4,385		4,385
2. Aid to disaster areas.....	188,076	300,000	488,076
Total program costs, funded.....	192,461	300,000	492,461
Change in selected resources.....	-91,000		-91,000
Total obligations.....	101,461	300,000	401,461
Financing:			
Unobligated balance available, start of year.....	-7,076		-7,076
Unobligated balance available, end of year.....	5,615		5,615
Budget authority.....	100,000	300,000	400,000
Relation of obligations to outlays:			
Obligations incurred, net.....	101,461	300,000	401,461
Obligated balance, start of year.....	390,971		390,971
Obligated balance, end of year.....	-242,140	-100,292	-342,432
Outlays.....	250,292	199,708	450,000

## OBJECT CLASSIFICATION (IN THOUSANDS OF DOLLARS)

	Request pending	Proposed amendment <sup>1</sup>	Revised request
Personnel compensation:			
Permanent positions.....	2,556		2,556
Positions other than permanent.....	350		350
Other personnel compensation.....	32		32
Special personal services payments.....			
Total personnel compensation.....	2,938		2,938
Personnel benefits: Civilian.....	250		250
Travel and transportation of persons.....	500		500
Transportation of things.....	7		7
Rent, communications, and utilities.....	250		250
Printing and reproduction.....	25		25
Other services.....	38,093	150,000	188,093
Supplies and materials.....	40		40
Equipment.....	15		15
Grants, subsidies, and contributions.....	59,343	150,000	209,343
Total obligations.....	101,461	300,000	401,461

## PERSONNEL SUMMARY

	Request pending	Proposed amendment	Revised request
Total number of permanent positions.....	133		133
Full-time equivalent of other positions.....	30		30
Average paid employment.....	159		159
Average GS grade.....	11.3		11.3
Average GS salary.....	\$19,816		\$19,816

The PRESIDING OFFICER. Do Senators yield back their time on the amendment?

Mr. MONTOYA. Mr. President, I yield back the remainder of my time on the amendment.

The PRESIDING OFFICER. All time on the amendment having been yielded back, the question is on agreeing to the amendment of the Senator from New Mexico (putting the question).

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. JAVITS. Mr. President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The clerk will read the amendment.

The assistant legislative clerk read the amendment, as follows:

On page 11, line 13, delete the figure "\$30,000,000" and insert in lieu thereof the figure "\$40,000,000".

Mr. JAVITS. Mr. President, the purpose of this amendment is to increase the appropriation for the special fund for the Office for Drug Abuse from the figure which the committee has provided \$30 million to the budget estimate of \$40 million. The House gave only \$21.5 million.

Obviously, of course, the compromise will be between those two figures. I would hope we would be able to stand by the \$30 million figure.

I have discussed this amendment with the manager of the bill, and he feels that the Special Action Office gave very good accounting of what they would use the \$30 million for. He does not feel, however, that they have adequately accounted for

the whole budget request of \$40 million. He, of course, will speak to that himself.

I offered the amendment only for the purpose of inducing my colleague—although I am sure it is entirely agreeable with him—to discuss the matter with us so that the Senate might be acquainted with what is at stake and we might have an opportunity to do something about it in the future should that seem to be warranted by the facts. Furthermore, I will show why it is likely that justification will be forthcoming and these funds can be provided in a supplemental appropriation dealing with section 223 funds.

The amendment would expressly provide money for three purposes, outreach, funding of new methods of treatment for various types of drug abuse and strength-



ening the capacity of the States to meet their own drug abuse needs.

This is a uniquely great opportunity to deal with and be abreast of the problem, because even the nature of drug abuse tends to change while we are looking at it. For example, there have been reports on a reduction in the incidence of heroin drug abuse and a material increase in the use of a drug called methoqualone, which is also addictive and which has not been the subject of much research.

Mr. President, I ask unanimous consent that there be printed at this point in the RECORD a letter which Senator HUGHES and I wrote to the Senator from New Mexico (Mr. MONTOYA) respecting the effort to provide the full budget estimate for this particular item.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,

Washington, D.C., August 2, 1973.

HON. JOSEPH M. MONTOYA,  
Chairman, Senate Appropriations Committee,  
Subcommittee on Treasury, U.S. Postal  
Service, and General Government, U.S.  
Senate, Washington, D.C.

DEAR MR. CHAIRMAN: In connection with your consideration of proposed fiscal year 1974 budget estimates for the Department of Treasury, the Postal Service, and related agencies, we would like to call your attention to what we consider to be a serious deficiency in the House bill. As you know, that bill approves \$5 million for necessary expenses of the Special Action Office for Drug Abuse Prevention; \$20 million for Section 224, pharmacological research; and \$21.5 million for Section 223, the "Special Fund".

We are writing to express our concern over the amount allocated for the Special Fund. The fact that SAODAP did not expend its full Section 223 appropriation for fiscal year '73 was due in large measure to the fact that those funds were contained in supplemental appropriations and did not become available until late in the fiscal year.

The funds appropriated for the purposes of Section 223 have been effectively used to increase the number and diversity of drug treatment and prevention programs throughout the country. Combined with substantial improvements in law enforcement measures, these programs have begun to have an important impact on the drug abuse problem. Major indicators of heroin abuse have begun to show a turnaround, but we must not now reduce the federal potential to consolidate and multiply the gains which have already been made. While vastly expanding treatment capacity, SAODAP has tightened management control systems and sought new measures of program effectiveness. It is instituting basic reporting systems and developing more effective evaluation of all programs.

Through the use of the Special Fund, SAODAP has sought to establish central intake facilities in large cities. By using such a central intake system, an addict in need of treatment can report to a single central office and be referred to the kind of treatment program he prefers with the assurance that the program has room for him. This system eliminates the problem of addicts approaching various programs for help and being turned away because there is no room or the program is unsuited to their needs. Such facilities have already been established in Houston, Texas and Hartford, Connecticut. Expansion of this concept to other states is now an important priority for SAODAP.

These funds have also been used to better utilize the criminal justice system as an outreach mechanism. The TASC (Treatment Al-

ternatives to Street Crimes) is designed to identify, screen and refer for treatment drug dependent persons who are arrested. Through a process of interview and urinalysis, persons in need of treatment are referred to the appropriate facility; they are tracked throughout treatment to insure satisfactory performance; and they are counseled in order to productively return to society.

During fiscal year '74 the Special Fund will be used for three primary purposes: outreach, funding of new methods of treatment for various types of drug abuse and strengthening the capacity of the states to meet their own drug abuse needs. SAODAP also intends to do much more in the area of job training and placement for ex-addicts. The problems of the estimated 130,000 drug addicts in our federal, state and local prisons will also receive much needed attention. We also should develop new approaches to treating drug abuse in view of the new polydrug use phenomenon which has been found in many areas throughout the nation. SAODAP is also committed to new initiatives in this field, as well as to the development of antagonists and other chemical substitutes for methadone treatment.

These and other programs will substantially contribute to reducing our national drug problem. Restoration of the full request for Section 223 funds will enable SAODAP to continue and complete its important work.

Sincerely,

HAROLD E. HUGHES,  
JACOB K. JAVITS.

Mr. JAVITS. Mr. President, on the other hand, I do not know of anyone who is as sympathetic to this as is the Senator from New Mexico himself. I have the feeling that the Senator from Oklahoma (Mr. BELLMON) feels the same way.

I will be content with spreading the material upon the record and with leaving it to the Drug Abuse Office to come forward with a demonstration at a subsequent time when a supplemental is available and when more than \$30 million can be effectively used for these innovative purposes.

Mr. President, I have covered this matter in my discussions with the manager of the bill. I have no feeling that the Senator from New Mexico did this on the basis of economy. I think that he has been absolutely sincere in doing his job. I hope that he will cooperate with the Senator from Iowa (Mr. HUGHES) and me.

Mr. MONTOYA. Mr. President, I would like to say that the committee did not cut the budget request for economy reasons. It was ascertained by letter dated August 1, 1973, from the Special Action Office for Drug Abuse Prevention that from last year's appropriations there was an unused or unobligated balance of over \$11 million. So actually the Special Action Office for Drug Abuse Prevention will have adequate funds for fiscal year 1974.

Therefore, the committee recommended \$30 million, an increase of \$5 million over fiscal year 1973 and an increase of \$8.5 million over the House bill for the special fund for drug abuse. While the \$30 million recommended is a decrease of \$10 million under the estimate, the committee allowed practically all of the funds requested for salaries and expenses and pharmacological research.

If it should be determined that it needs more funds, I am sure that every Mem-

ber of the Congress will be sympathetic to giving that office what it actually needs, subject of course to wise and prudent expenditures.

I have no reason to believe that they have not engaged in wisdom with regard to the expenditure of funds in the past.

I say to my good friend, the Senator from New York, that as I have tried to do in the past, I will continue to do in the future and will be as sympathetic as I possibly can be within fiscal prudence so that we can expand the drug abuse prevention program, and we must expand it. However, we must do so in an orderly process, and not just throw money away.

Mr. JAVITS. I thoroughly agree with the Senator, but I am going to raise this question, so that he might have it in mind in conference. I might say that I shall withdraw the amendment when I have finished.

I am told that because of the financing of this fund in a supplemental for fiscal year 1973, carryover funds cannot be used. Of course, Congress can always take care of that by providing the necessary relief. But I believe that with the disposition of the Senator who has just spoken, the distinguished Senator from New Mexico (Mr. MONTOYA)—and if he will bear this point in mind, which may or may not be followed in the conference—I have every confidence that so far as money is deserved, it will be forthcoming.

I thank the Senator. I withdraw the amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

The bill is open to further amendment. Mr. MONTOYA. Mr. President, I ask for the third reading.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays on final passage. The yeas and nays were ordered.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. HARRY F. BYRD, JR. Mr. President, will the Senator from New Mexico yield me 3 minutes on the bill?

Mr. MONTOYA. I am happy to yield 3 minutes to the Senator from Virginia.

Mr. HARRY F. BYRD, JR. Mr. President, I invite the attention of the Senate to page 40 of the committee report. On that page it will be noted that the interest on the public debt for the current fiscal year will be \$27.5 billion. That figure is not in the bill before the Senate, but it is in the committee report. It is the amount of money that the taxpayers will be called upon to finance the interest on the debt.

I think it is important that attention be focused on how much it is costing the taxpayers to finance that debt. Many persons look at the debt as a figure which has little relation to the average citizen. I say that nothing could be further from

the fact or the truth. The fact is that 17 cents of every personal and every corporate income tax dollar paid into the Treasury by the taxpayers and wage earners of the country go for one purpose; namely, to pay the interest on the debt.

As the committee report states, the interest of \$27.5 billion on the debt is \$3.3 billion more than the interest charges for fiscal 1973.

One other figure I shall mention in connection with the public debt. For the fiscal years 1970 through the current fiscal year—during that 5-year period—the national debt increased \$116 billion. To put it another way, the accumulated deficits for that 5-year period from fiscal 1970 through the current fiscal year will total \$116 billion. That represents 25 percent of the total national debt of the Nation.

During that 5-year period, 25 percent of the total national debt has been incurred. The remaining 75 percent goes back more than 100 years.

I think the figure for the interest charges, given in the committee report before us today, dramatizes the very severe and grave financial condition facing the Government of the United States. Until Congress and the President, acting together, are willing to cooperate and to get spending under control and get these huge deficits under control, I submit that the average American citizen, the average wage earner, the average working person, man and woman, is going to pay the price either in the form of more inflation or more taxes, or both.

The basic cause of inflation, in my judgment, or the major cause of the inflation we are experiencing, is these continued huge Government deficits. It is not generally realized that in the 5-year period from fiscal year 1970 through fiscal year 1974 the accumulated Federal funds deficit totaled \$116 billion, which represents 25 percent of the total national debt. This figure in the committee report of \$27.5 billion representing the interest charges on the debt for fiscal 1974, dramatizes that there is a real cost to the American people in financing these huge deficits.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a table entitled "Deficits in Federal Funds and Interest on the National Debt, 1955-1974 Inclusive."

There being no objection, the table was ordered to be printed in the RECORD, as follows:

DEFICITS IN FEDERAL FUNDS AND INTEREST ON THE NATIONAL DEBT, 1955 TO 1974 INCLUSIVE—PREPARED BY SENATOR HARRY F. BYRD, JR. OF VIRGINIA

(Billions of dollars)				
	Receipts	Outlays	Surplus (+) or deficit (-)	Debt interest
1955.....	\$58.1	\$62.3	-\$4.2	\$6.4
1956.....	65.4	63.8	+1.6	6.8
1957.....	68.8	67.1	+1.7	7.3
1958.....	66.6	69.7	-3.1	7.9
1959.....	65.8	77.0	-11.2	7.8
1960.....	75.7	74.9	+.8	9.5
1961.....	75.2	79.3	-4.1	9.3
1962.....	79.7	86.6	-6.9	9.5
1963.....	83.6	90.1	-6.5	10.3

	Receipts	Outlays	Surplus (+) or deficit (-)	Debt interest
1964.....	\$87.2	\$95.8	-\$8.6	\$11.0
1965.....	90.9	94.8	-3.9	11.8
1966.....	101.4	106.5	-5.1	12.6
1967.....	111.8	126.8	-15.0	14.2
1968.....	114.7	143.1	-28.4	15.6
1969.....	143.3	148.8	-5.5	17.7
1970.....	143.2	156.3	-13.1	20.0
1971.....	133.7	163.7	-30.0	21.6
1972.....	148.8	178.0	-29.2	22.5
1973.....	161.3	186.2	-24.9	24.2
1974 <sup>1</sup> .....	181.0	199.8	-18.8	27.5
20-year total....	2,056.2	2,270.6	-214.4	273.4

<sup>1</sup> Estimated figures.

Source: Office of Management and Budget and Treasury Department.

Mr. HARRY F. BYRD, JR. I yield back the remainder of my time.

Mr. MONTOYA. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. Does the Senator from Oklahoma yield back his time?

Mr. BELLMON. I yield back my time.

The PRESIDING OFFICER (Mr. HELMS). All remaining time having been yielded back, the question is, Shall the bill pass?

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.  
Mr. ROBERT C. BYRD. I announce that the Senator from Florida (Mr. CHILES), the Senator from North Carolina (Mr. ERVIN), the Senator from Kentucky (Mr. HUDDLESTON), the Senator from Iowa (Mr. HUGHES), the Senator from Utah (Mr. MOSS), the Senator from California (Mr. TUNNEY), and the Senator from Louisiana (Mr. JOHNSTON) are necessarily absent.

Mr. GRIFFIN. I announce that the Senators from Tennessee (Mr. BAKER and Mr. BROCK), Senator from Hawaii (Mr. FONG), and Senator from Oregon (Mr. HATFIELD) are necessarily absent.

I also announce that the Senator from Utah (Mr. BENNETT) is absent because of illness in his family.

I further announce that the Senator from Florida (Mr. GURNEY) is absent on official business.

I further announce that, if present and voting, the Senator from Hawaii (Mr. FONG), would vote "yea."

The result was announced—yeas 87, nays 0, as follows:

[No. 374 Leg.]

YEAS—87

Abourezk	Cranston	Jackson
Alken	Curtis	Javits
Allen	Dole	Kennedy
Bartlett	Domenici	Long
Bayh	Dominick	Magnuson
Beall	Eagleton	Mansfield
Bellmon	Eastland	Mathias
Bentsen	Fannin	McClellan
Bible	Fulbright	McClure
Biden	Goldwater	McGee
Brooke	Gravel	McGovern
Buckley	Griffin	McIntyre
Burdick	Hansen	Metcalfe
Byrd,	Hart	Mondale
Harry F., Jr.	Hartke	Montoya
Byrd, Robert C.	Haskell	Muskie
Cannon	Hathaway	Nelson
Case	Helms	Nunn
Church	Hollings	Packwood
Clark	Hruska	Pastore
Cook	Humphrey	Pearson
Cotton	Inouye	Pell

Percy	Scott, Va.	Talmadge
Proxmire	Sparkman	Thurmond
Randolph	Stafford	Tower
Ribicoff	Stennis	Welker
Roth	Stevens	Williams
Saxbe	Stevenson	Young
Schweiker	Symington	
Scott, Pa.	Taft	

NAYS—0

NOT VOTING—13

Baker	Fong	Johnston
Bennett	Gurney	Moss
Brock	Hatfield	Tunney
Chiles	Huddleston	
Ervin	Hughes	

So the bill (H.R. 9590) was passed.  
Mr. MONTOYA. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MONTOYA. Mr. President, I want to express my appreciation to Senators McCLELLAN and YOUNG for the cooperation they gave me during deliberations on this bill.

I also want to express my appreciation for the fine work done by staff members Joe Gonzales and Warren Kane.

Now, Mr. President, I move that the Senate insist on its amendments and request a conference with the House of Representatives thereon, and that chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to, and the Presiding Officer appointed Mr. MONTOYA, Mr. McCLELLAN, Mr. BAYH, Mr. McGEE, Mr. BELLMON, Mr. YOUNG, and Mr. HATFIELD conferees on the part of the Senate.

#### EXECUTIVE SESSION—EXECUTIVE L, 93D CONGRESS, FIRST SESSION—AMENDMENT TO ARTICLE 61 OF THE CHARTER OF THE UNITED NATIONS

The PRESIDING OFFICER (Mr. HOLINGS). Under the previous order, the Senate will now go into executive session to vote on Executive L, 93d Congress, first session.

The clerk will state the resolution of ratification.

The legislative clerk read as follows:

*Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of The Amendment to Article 61 of the Charter of the United Nations adopted by the General Assembly of the United Nations on December 20, 1971, and set forth in General Assembly Resolution 2837 (XXVI), (Ex. L, 93d Congress, 1st session).*

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the resolution of ratification of Executive L, 93d Congress, first session?

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Florida (Mr. CHILES), the Senator from North Carolina (Mr. ERVIN), the Senator from Kentucky (Mr. HUDDLESTON), the Senator from Iowa (Mr. HUGHES), the Senator from Louisiana (Mr. JOHNSTON), the Senator from Utah (Mr. MOSS), and the



Senator from California (Mr. TUNNEY) are necessarily absent.

Mr. GRIFFIN. I announce that the Senators from Tennessee (Mr. BAKER and Mr. BROCK), the Senator from Hawaii (Mr. FONG), and the Senator from Oregon (Mr. HATFIELD) are necessarily absent.

I also announce that the Senator from Utah (Mr. BENNETT) is absent because of illness in his family.

I further announce that the Senator from Florida (Mr. GURNEY) is absent on official business.

The yeas and nays resulted—yeas 80, nays 7, as follows:

[No. 375 Ex.]

YEAS—80

Abourezk	Goldwater	Nelson
Alken	Gravel	Nunn
Allen	Griffin	Packwood
Bartlett	Hansen	Pastore
Bayh	Hart	Pearson
Beall	Hartke	Pell
Bellmon	Haskell	Percy
Bentsen	Hathaway	Proxmire
Bible	Hollings	Randolph
Biden	Hruska	Ribicoff
Brooke	Humphrey	Roth
Buckley	Inouye	Saxbe
Burdick	Jackson	Schweiker
Byrd	Javits	Scott, Pa.
Harry F., Jr.	Kennedy	Scott, Va.
Cannon	Long	Sparkman
Case	Magnuson	Stafford
Church	Mansfield	Stennis
Clark	Mathias	Stevens
Cook	McClellan	Stevenson
Cranston	McGee	Symington
Curtis	McGovern	Taft
Dole	McIntyre	Talmadge
Domenech	Metcalfe	Tower
Eagleton	Mondale	Welcker
Eastland	Montoya	Williams
Fulbright	Muskie	Young

NAYS—7

Byrd, Robert C.	Fannin	Thurmond
Cotton	Helms	
Dominick	McClure	

NOT VOTING—13

Baker	Fong	Johnston
Bennett	Gurney	Moss
Brock	Hatfield	Tunney
Chiles	Huddleston	
Ervin	Hughes	

The PRESIDING OFFICER. On this vote the yeas are 80 and the nays are 7. Two-thirds of the Senators present and voting having voted in the affirmative, the resolution of ratification is agreed to.

#### LEGISLATIVE SESSION

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Senate return to the consideration of legislative business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### BOARD FOR INTERNATIONAL BROADCASTING

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Order No. 337, S. 1914; that it be laid before the Senate and made the pending business. There will be no action thereon today.

The PRESIDING OFFICER. The bill will be stated by title.

The bill was stated by title as follows:

A bill, (S. 1914) to provide for the establishment of the Board for International

Broadcasting, to authorize the continuation of assistance to Radio Free Europe and Radio Liberty, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Foreign Relations with amendments on page 7, line 16, after the word "Records", strike out "And Audit" and insert "Audit; Contributors"; on page 8, after line 6, insert:

(c) No grant may be made under this Act unless the radio to which the grant is to be made agrees to make available, and does make available, for public inspection, during normal business hours at its principal office in the United States, a complete list of every person and government making a contribution to that radio during the fiscal year preceding the making of the grant and the fiscal year in which the grant is to be made, the address of the person or government making the contribution, the amount of each such contribution, and the date the contribution was made.

On page 9, line 13, after the word "expended", strike out "\$50,300,000" and insert "\$50,209,000"; in line 14, after the word "year", strike out "1974 and such sums as may be necessary for fiscal year 1975 to carry out the purposes of this Act." and insert "1974"; at the beginning of line 17, strike out "years 1974 and 1975" and insert "year 1974"; and, after line 20, strike out "Implementation"; so as to make the bill read:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Board for International Broadcasting Act of 1973".*

#### DECLARATION OF PURPOSE

SEC. 2. The Congress hereby finds and declares—

(1) that it is the policy of the United States to promote the right of freedom of opinion and expression, including the freedom "to seek, receive, and impart information and ideas through any media and regardless of frontiers," in accordance with article 19 of the Universal Declaration of Human Rights;

(2) that open communication of information and ideas among the peoples of the world contributes to international peace and stability, and that the promotion of such communication is in the interests of the United States;

(3) that Free Europe, Incorporated, and the Radio Liberty Committee, Incorporated (hereinafter referred to as Radio Free Europe and Radio Liberty), have demonstrated their effectiveness in furthering the open communication of information and ideas in Eastern Europe and the Union of Soviet Socialist Republics;

(4) that the continuation of Radio Free Europe and Radio Liberty as independent broadcast media, operating in a manner not inconsistent with the broad foreign policy objectives of the United States and in accordance with high professional standards, is in the national interest; and

(5) that in order to provide an effective instrumentality for the continuation of assistance to Radio Free Europe and Radio Liberty and to encourage a constructive dialog with the peoples of the Union of Soviet Socialist Republics and Eastern Europe, it is desirable to establish a Board for International Broadcasting.

#### ESTABLISHMENT AND ORGANIZATION

SEC. 3. (a) There is established a Board for International Broadcasting (hereinafter referred to as the "Board").

(b) (1) COMPOSITION OF BOARD.—The Board shall consist of seven members, two of whom shall be ex officio members. The President shall appoint, by and with the advice and consent of the Senate, five voting members, one of whom he shall designate as chairman. Not more than three of the members of the Board appointed by the President shall be of the same political party. The chief operating executive of Radio Free Europe and the chief operating executive of Radio Liberty shall be ex officio members of the Board and shall participate in the activities of the Board, but shall not vote in the determinations of the Board.

(2) SELECTION.—Members of the Board appointed by the President shall be citizens of the United States who are not concurrently regular full-time employees of the United States Government. Such members shall be selected by the President from among Americans distinguished in the fields of foreign policy or mass communications.

(3) TERM OF OFFICE OF PRESIDENTIALLY APPOINTED MEMBERS.—In appointing the initial voting members of the Board, the President shall designate three of the members appointed by him to serve for a term of three years and two members to serve for a term of two years. Thereafter, the term of office of each member of the Board so appointed shall be three years. The President shall appoint, by and with the advice and consent of the Senate, members to fill vacancies occurring prior to the expiration of a term, in which case the members so appointed shall serve for the remainder of such term. Any member whose term has expired may serve until his successor has been appointed and qualified.

(4) TERM OF OFFICE OF EX OFFICIO MEMBERS.—Ex officio members of the Board shall serve on the Board during their terms of service as chief operating executives of Radio Free Europe or Radio Liberty.

(5) COMPENSATION.—Members of the Board appointed by the President shall, while attending meetings of the Board or while engaged in duties relating to such meetings or in other activities of the Board pursuant to this section, including traveltime, be entitled to receive compensation equal to the daily equivalent of the compensation prescribed for level V of the Executive Schedule under section 5316 of title 5, United States Code. While away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 5703) for persons in the Government service employed intermittently. Ex officio members of the Board shall not be entitled to any compensation under this Act, but may be allowed travel expenses as provided in the preceding sentence.

#### FUNCTIONS

SEC. 4. (a) The Board is authorized:

(1) to make grants to Radio Free Europe and to Radio Liberty in order to carry out the purposes set forth in section 2 of this Act;

(2) to review and evaluate the mission and operation of Radio Free Europe and Radio Liberty, and to assess the quality, effectiveness and professional integrity of their broadcasting within the context of the broad foreign policy objectives of the United States;

(3) to encourage the most efficient utilization of available resources by Radio Free Europe and Radio Liberty and to undertake, or request that Radio Free Europe or Radio Liberty undertake, such studies as may be necessary to identify areas in which the operations of Radio Free Europe and Radio Lib-

erty may be made more efficient and economical;

(4) to develop and apply such financial procedures, and to make such audits of Radio Free Europe and Radio Liberty as the Board may determine are necessary to assure that grants are applied in accordance with the purposes for which such grants are made;

(5) to develop and apply such evaluative procedures as the Board may determine are necessary to assure that grants are applied in a manner not inconsistent with the broad foreign policy objectives of the United States Government;

(6) to appoint such staff personnel as may be necessary, subject to the provisions of section 5, United States Code, governing appointments in the competitive service, and to fix their compensation in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates;

(7) (A) to procure temporary and intermittent personal services to the same extent as is authorized by section 3109 of title 5, United States Code, at rates not to exceed the daily equivalent of the rate provided for GS-18; and

(B) to allow those providing such services, while away from their homes or their regular places of business, travel expenses (including per diem in lieu of subsistence) as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently, while so employed;

(8) to report annually to the President and the Congress on or before the 30th day of October, summarizing the activities of the Board during the year ending the preceding June 30, and reviewing and evaluating the operation of Radio Free Europe and Radio Liberty during such year; and

(9) to prescribe such regulations as the Board deems necessary to govern the manner in which its functions shall be carried out.

(b) In carrying out the foregoing functions, the Board shall bear in mind the necessity of maintaining the professional independence and integrity of Radio Free Europe and Radio Liberty.

#### RECORDS AUDIT; CONTRIBUTIONS

Sec. 5. (a) The Board shall require that Radio Free Europe and Radio Liberty keep records which fully disclose the amount and disposition of assistance provided under this Act, the total cost of the undertakings or programs in connection with which such assistance is given or used, that portion of the cost of the undertakings or programs supplied by other sources, and such other records as will facilitate an effective audit.

(b) The Board and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of Radio Free Europe and Radio Liberty which, in the opinion of the Board or the Comptroller General, may be related or pertinent to the assistance provided under this Act.

(c) No grant may be made under this Act unless the radio to which the grant is to be made agrees to make available, and does make available, for public inspection, during normal business hours at its principal office in the United States, a complete list of every person and government making a contribution to that radio during the fiscal year preceding the making of the grant and the fiscal year in which the grant is to be made, the address of the person or government making the contribution, the amount of each such contribution, and the date the contribution was made.

#### ROLE OF THE SECRETARY OF STATE

Sec. 6. To assist the Board in carrying out its functions, the Secretary of State shall provide the Board with such information regarding the foreign policy of the United States as the Secretary may deem appropriate.

#### PUBLIC SUPPORT

Sec. 7. The Board is authorized to receive donations, bequests, devises, gifts, and other forms of contributions of cash, services, and other property, from persons, corporations, foundations, and all other groups and entities, both within the United States and abroad, and, pursuant to the Federal Property Administrative Service Act of 1949, as amended, to use, sell, or otherwise dispose of such property for the carrying out of its functions. For the purposes of sections 170, 2055, and 2522 of the Internal Revenue Code of 1954, as amended (26 U.S.C. 170, 2055, or 2522), the Board shall be deemed to be a corporation described in section 170(c)(2), 2055(a)(2), or 2522(a)(2) of the Code, as the case may be.

#### FINANCING AND IMPLEMENTATION

Sec. 8. (a) There are authorized to be appropriated, to remain available until expended, \$50,209,000 for fiscal year 1974. There are authorized to be appropriated for fiscal year 1974 such additional or supplemental amounts as may be necessary for increases in salary, pay, retirement, or other employee benefits authorized by law and for other non-discretionary costs.

(b) To allow for the orderly implementation of this Act, the Secretary of State is authorized to make grants to Radio Free Europe and to Radio Liberty under such terms and conditions as he deems appropriate for their continued operation until a majority of the voting members of the Board have been appointed and qualified, and until funds authorized to be appropriated under this Act are available to the Board.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that no time under the agreement be charged against the bill today.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ORDER FOR ADJOURNMENT UNTIL 10:30 A.M. TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in adjournment until the hour of 10:30 a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ORDER FOR RECOGNITION OF SENATORS, TRANSACTION OF ROUTINE MORNING BUSINESS, AND CONSIDERATION OF S. 1914 TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that tomorrow after the two leaders or their designees have been recognized under the standing order, the distinguished majority leader (Mr. MANSFIELD) be recognized for not to exceed 15 minutes, that he be followed by the distinguished senior Senator from Virginia (Mr. HARRY F. BYRD, JR.) for not to exceed 15 minutes, and that he be followed by the junior Senator from West Virginia (Mr. ROBERT C. BYRD) for not to exceed 5 minutes; that

there then be a period for the transaction of routine morning business for not to exceed 15 minutes with statements limited therein to 3 minutes, after which the Senate proceed to the consideration of S. 1914.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ORDER FOR CONSIDERATION OF S. 1841 TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that upon the disposition of S. 1914 tomorrow the Senate proceed to the consideration of S. 1841, a bill to amend the Communications Act of 1934 for 1 year with respect to certain agreements relating to the broadcasting of home games of certain professional athletic teams; that the unfinished business, S. 5, be temporarily laid aside and remain in a temporarily laid-aside status until the bill S. 1841 is disposed of or until close of business tomorrow, whichever is earlier.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PROGRAM

Mr. ROBERT C. BYRD. Mr. President, the program for tomorrow is as follows:

The Senate will convene at 10:30 a.m. After the two leaders or their designees have been recognized under the standing order, the distinguished majority leader (Mr. MANSFIELD) will be recognized for 15 minutes, after which the distinguished Senator from Virginia (Mr. HARRY F. BYRD, JR.) will be recognized for not to exceed 15 minutes, after which the undistinguished Senator from West Virginia (Mr. ROBERT C. BYRD) will be recognized for not to exceed 5 minutes, to be followed by a period for the transaction of routine morning business for not to exceed 15 minutes, with the usual 3-minute limitation on statements therein. At the conclusion thereof the Senate will resume consideration of S. 1914, the so-called Radio Free Europe bill, under a time limitation. Yea-and-nay votes will occur on amendments thereto and upon the disposition thereof. Upon the disposition of S. 1914, the Senate will proceed to the consideration of S. 1841, the communications blackout bill on which there is a time limitation. Yea-and-nay votes will occur on amendments thereto and on final passage.

Mr. STAFFORD. Mr. President, will the Senator yield?

Mr. ROBERT C. BYRD. I yield.

Mr. STAFFORD. I note that the distinguished assistant majority leader referred to himself as "the undistinguished junior Senator from West Virginia." I want him to know that in the opinion and in the hearts of his colleagues on both sides of the aisle he is a most distinguished Member of this body.

Mr. ROBERT C. BYRD. I thank the able Senator for his overly charitable and overly generous remarks. I am very grateful.



## ADJOURNMENT UNTIL 10:30 A.M.

Mr. ROBERT C. BYRD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 10:30 a.m. tomorrow.

The motion was agreed to; and at 5:27 p.m., the Senate adjourned until tomorrow, Thursday, September 6, 1973, at 10:30 a.m.

## NOMINATIONS

Executive nominations received by the Senate on August 6, 1973, pursuant to the order of August 3, 1973:

## IN THE AIR FORCE

The following officer to be placed on the retired list in the grade indicated under the provisions of section 8962, title 10, of the United States Code:

## To be lieutenant general

Lt. Gen. Glenn W. Martin xxx-xx-xxxx FR (major general, Regular Air Force) U.S. Air Force.

The following officer to be placed on the retired list in the grade indicated under the provisions of section 8962, title 10, of the United States Code:

## To be lieutenant general

Lt. Gen. Robert N. Smith xxx-xx-xxxx FR (major general, Regular Air Force) U.S. Air Force.

Executive nominations received by the Senate on August 9, 1973, pursuant to the order of August 3, 1973:

## DEPARTMENT OF DEFENSE

Joseph T. McCullen, Jr., of Maryland, to be an Assistant Secretary of the Navy, vice James E. Johnson, resigning.

## NATIONAL SCIENCE FOUNDATION

Lowell J. Paige, of California, to be an Assistant Director of the National Science Foundation, vice Lloyd G. Humphreys, resigned.

## SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

Fred B. Ugast, of Maryland, to be an Associate Judge, Superior Court of the District of Columbia, for the term of 15 years, vice Robert M. Weston, retired.

## DEPARTMENT OF JUSTICE

William R. Burkett, of Oklahoma, to be U.S. attorney for the western district of Oklahoma for the term of 4 years. (Reappointment.)

Richard L. Thornburgh, of Pennsylvania, to be U.S. attorney for the western district of Pennsylvania for the term of 4 years. (Reappointment.)

David J. Cannon, of Wisconsin, to be U.S. attorney for the eastern district of Wisconsin for the term of 4 years. (Reappointment.)

William L. Martin, Jr., of Georgia, to be U.S. marshal for the middle district of Georgia for the term of 4 years. (Reappointment.)

Harry D. Berglund, of Minnesota, to be U.S. marshal for the district of Minnesota for the term of 4 years. (Reappointment.)

Frank M. Dulan, of New York, to be U.S. marshal for the northern district of New York for the term of 4 years. (Reappointment.)

Floyd Eugene Carrier, of Oklahoma, to be U.S. marshal for the western district of Oklahoma for the term of 4 years. (Reappointment.)

Christian Hansen, Jr., of Vermont, to be U.S. marshal for the district of Vermont for the term of 4 years. (Reappointment.)

## IN THE AIR FORCE

The following-named officers for promotion in the Regular Air Force, under the appropriate provisions of chapter 835, Title 10, United States Code, as amended. All officers are subject to physical examination required by law.

## Lieutenant colonel to colonel

## LINE OF THE AIR FORCE

Ace, Robert K., xxx-xx-xxxx  
 Acquaviva, Onorio, xxx-xx-xxxx  
 Adair, Robert E., xxx-xx-xxxx  
 Albertazzie, Ralph D., xxx-xx-xxxx  
 Allen, Alfred S., xxx-xx-xxxx  
 Allen, Jesse M., xxx-xx-xxxx  
 Allison, Clark H., xxx-xx-xxxx  
 Amerio, Umberto M., xxx-xx-xxxx  
 Anderson, Joe E., Jr., xxx-xx-xxxx  
 Anderson, Robert S., xxx-xx-xxxx  
 Anderson, Thomas A., xxx-xx-xxxx  
 Andreason, Allan K., xxx-xx-xxxx  
 Andress, Joe O., xxx-xx-xxxx  
 Anlian, Edward, xxx-xx-xxxx  
 Anna, Lloyd P., xxx-xx-xxxx  
 Argo, Marion L., xxx-xx-xxxx  
 Ashbaker, Joseph L., xxx-xx-xxxx  
 Austin, Herbert W., xxx-xx-xxxx  
 Aylsworth, Warren R., xxx-xx-xxxx  
 Baader, Theodore J., xxx-xx-xxxx  
 Bailey, Edward D., xxx-xx-xxxx  
 Bailey, William M., Jr., xxx-xx-xxxx  
 Ballou, David B., xxx-xx-xxxx  
 Bandini, Alfred, Jr., xxx-xx-xxxx  
 Barone, Ben A., xxx-xx-xxxx  
 Barrett, Michael J., Jr., xxx-xx-xxxx  
 Barrett, Robert L., xxx-xx-xxxx  
 Barrows, Earl J., xxx-xx-xxxx  
 Batchelor, Edward, xxx-xx-xxxx  
 Baugh, William J., xxx-xx-xxxx  
 Baxter, Walter H., III, xxx-xx-xxxx  
 Bayer, Edwin R., xxx-xx-xxxx  
 Bayliss, Charles E., xxx-xx-xxxx  
 Becker, William J., xxx-xx-xxxx  
 Bee, Thomas G., xxx-xx-xxxx  
 Beeson, John D., xxx-xx-xxxx  
 Begley, Burriss N., xxx-xx-xxxx  
 Behnke, Paul J., xxx-xx-xxxx  
 Bergin, Craig W., xxx-xx-xxxx  
 Bigelow, Robert B., xxx-xx-xxxx  
 Biscone, Joseph C., Jr., xxx-xx-xxxx  
 Bishop, Edward G., xxx-xx-xxxx  
 Blackley, Peter P., xxx-xx-xxxx  
 Blagg, John D., Jr., xxx-xx-xxxx  
 Blair, Charles E., xxx-xx-xxxx  
 Bloss, Stuart M., xxx-xx-xxxx  
 Blue, James D., xxx-xx-xxxx  
 Bolger, John M., xxx-xx-xxxx  
 Borsare, Edward F., xxx-xx-xxxx  
 Bowden, Hugh S., xxx-xx-xxxx  
 Bowley, Carl A., xxx-xx-xxxx  
 Bretting, Martin M., xxx-xx-xxxx  
 Bretzius, William F., III, xxx-xx-xxxx  
 Brewer, William C., xxx-xx-xxxx  
 Brinckmann, Robert E., xxx-xx-xxxx  
 Brown, Ronald L., xxx-xx-xxxx  
 Brown, Royal A., Jr., xxx-xx-xxxx  
 Brunsmann, George E., xxx-xx-xxxx  
 Bruss, Richard E., xxx-xx-xxxx  
 Burkhalter, James E., xxx-xx-xxxx  
 Caesar, Robert G., xxx-xx-xxxx  
 Cameron, Robert M., xxx-xx-xxxx  
 Campbell, Douglas L., xxx-xx-xxxx  
 Campen, Alan D., xxx-xx-xxxx  
 Cannon, George C., Jr., xxx-xx-xxxx  
 Carson, William E., xxx-xx-xxxx  
 Carter, Billy J., xxx-xx-xxxx  
 Carter, James L., xxx-xx-xxxx  
 Casey, Donald F., xxx-xx-xxxx  
 Chavarrie, Edgar A., xxx-xx-xxxx  
 Christiano, Joseph, xxx-xx-xxxx  
 Chu, Earl M., xxx-xx-xxxx  
 Clark, Lynwood E., xxx-xx-xxxx  
 Clark, Stanley S., xxx-xx-xxxx  
 Clark, William A., xxx-xx-xxxx  
 Clauson, Curtis S., xxx-xx-xxxx  
 Clement, Robert W., xxx-xx-xxxx  
 Cler, Bernard J., xxx-xx-xxxx

Clifford, Thomas E., xxx-xx-xxxx  
 Cline, Gould L., xxx-xx-xxxx  
 Cline, Thomas G., xxx-xx-xxxx  
 Cochran, Drexel B., xxx-xx-xxxx  
 Cody, Richard N., xxx-xx-xxxx  
 Coffin, Monty D., xxx-xx-xxxx  
 Coffman, Ray B., xxx-xx-xxxx  
 Cole, Victor, J., xxx-xx-xxxx  
 Collins, Malcolm T., xxx-xx-xxxx  
 Collins, Richard G., xxx-xx-xxxx  
 Collins, Walter R., xxx-xx-xxxx  
 Comstock, William G., xxx-xx-xxxx  
 Conley, Philip J., Jr., xxx-xx-xxxx  
 Conner, Henry H., Jr., xxx-xx-xxxx  
 Connolly, Joseph W., xxx-xx-xxxx  
 Connor, Richard M., xxx-xx-xxxx  
 Cook, Kelly F., xxx-xx-xxxx  
 Cooper, Roger L., xxx-xx-xxxx  
 Corbett, Richard M., xxx-xx-xxxx  
 Cornett, John P., xxx-xx-xxxx  
 Coy, Edwin A., xxx-xx-xxxx  
 Crabb, Cecil D., Jr., xxx-xx-xxxx  
 Crabbe, William M., Jr., xxx-xx-xxxx  
 Craine, Emery J., xxx-xx-xxxx  
 Crichton, Theodore P., xxx-xx-xxxx  
 Cromer, James H., xxx-xx-xxxx  
 Cronin, James, xxx-xx-xxxx  
 Crowley, Eugene N., xxx-xx-xxxx  
 Crumpler, Carl B., xxx-xx-xxxx  
 Cummins, William E., II, xxx-xx-xxxx  
 Cunnion, Francis J., xxx-xx-xxxx  
 Curry, William D., Jr., xxx-xx-xxxx  
 Czeppha, Chester G., Jr., xxx-xx-xxxx  
 Dalton, Harry J., Jr., xxx-xx-xxxx  
 Danielian, Leo, xxx-xx-xxxx  
 Darlington, Robert E., xxx-xx-xxxx  
 Davis, Bennie L., xxx-xx-xxxx  
 Dawson, Kenneth L., xxx-xx-xxxx  
 Dearmond, Michael E., xxx-xx-xxxx  
 Deranian, George G., xxx-xx-xxxx  
 Dinsmoor, John W., xxx-xx-xxxx  
 Dion, Roland A., xxx-xx-xxxx  
 Donnelly, Thomas J., xxx-xx-xxxx  
 Doty, William D., xxx-xx-xxxx  
 Drury, Richard T., xxx-xx-xxxx  
 Duncan, Kenneth J., xxx-xx-xxxx  
 Dungan, Frank E., xxx-xx-xxxx  
 Dunn, John T., xxx-xx-xxxx  
 Earnhart, George N., Jr., xxx-xx-xxxx  
 Easson, David B., xxx-xx-xxxx  
 Eichhorn, Jerome J., xxx-xx-xxxx  
 Ellis, Edward L., xxx-xx-xxxx  
 Ellis, Henry B., xxx-xx-xxxx  
 Emerling, Edwin G., xxx-xx-xxxx  
 Engelhardt, Franklin A., xxx-xx-xxxx  
 Epperson, Roscoe F., xxx-xx-xxxx  
 Estes, Howard M., Jr., xxx-xx-xxxx  
 Evans, Donald L., xxx-xx-xxxx  
 Falkenstein, Donald L., xxx-xx-xxxx  
 Falls, Harry, Jr., xxx-xx-xxxx  
 Faurer, Lincoln D., xxx-xx-xxxx  
 Ferguson, Scotty O., xxx-xx-xxxx  
 Fernandez, Joseph, xxx-xx-xxxx  
 Ferrara, Thomas G., xxx-xx-xxxx  
 Ferrier, Bruce D., xxx-xx-xxxx  
 Forbes, Benjamin M., Jr., xxx-xx-xxxx  
 Fox, Martin H., xxx-xx-xxxx  
 Frederick, James J., xxx-xx-xxxx  
 Fredrickson, Russell, xxx-xx-xxxx  
 Fredrics, H. B., xxx-xx-xxxx  
 Frisby, Bob R., xxx-xx-xxxx  
 Gabriel, Charles A., xxx-xx-xxxx  
 Gagnon, Leo J., Jr., xxx-xx-xxxx  
 Gaines, William H., Jr., xxx-xx-xxxx  
 Gallagher, Nathaniel A., xxx-xx-xxxx  
 Gardner, Harold W., xxx-xx-xxxx  
 Gebhardt, Melvin W., xxx-xx-xxxx  
 Geer, Lyle A., xxx-xx-xxxx  
 Gehle, Richard L., xxx-xx-xxxx  
 Geier, Fredrick R., xxx-xx-xxxx  
 Geiger, Floyd J., xxx-xx-xxxx  
 Gell, William C., xxx-xx-xxxx  
 Gibbs, Charles E., xxx-xx-xxxx  
 Gilbert, William D., xxx-xx-xxxx  
 Gluck, Fred, xxx-xx-xxxx  
 Goldfogle, Richard A., xxx-xx-xxxx  
 Goodweather, Melvin G., xxx-xx-xxxx  
 Gordon, Dale C., xxx-xx-xxxx

Gordon, Henry C., xxx-xx-xxxx  
Graham, Irwin P., xxx-xx-xxxx  
Gregg, Robert D., xxx-xx-xxxx  
Gregor, Robert D. S., xxx-xx-xxxx  
Griffith, Clarence W., xxx-xx-xxxx  
Grimm, Eugene W., xxx-xx-xxxx  
Guastella, Joseph T., xxx-xx-xxxx  
Guy, Theodore W., xxx-xx-xxxx  
Hagerman, Robert W., xxx-xx-xxxx  
Hagerty, John D., III, xxx-xx-xxxx  
Haidler, William B., xxx-xx-xxxx  
Hall, Elton L., xxx-xx-xxxx  
Hall, James H., xxx-xx-xxxx  
Halleran, Patrick J., xxx-xx-xxxx  
Halsey, John W., xxx-xx-xxxx  
Hammond, Charles W., xxx-xx-xxxx  
Harris, Donald E., xxx-xx-xxxx  
Harris, John W., xxx-xx-xxxx  
Harris, Kenneth G., xxx-xx-xxxx  
Harris, Marmaduke M., xxx-xx-xxxx  
Harrison, Kenneth E., xxx-xx-xxxx  
Hartmann, Richard H., xxx-xx-xxxx  
Hasbrook, Carleton R., xxx-xx-xxxx  
Hatt, Edwin, Jr., xxx-xx-xxxx  
Hawkins, Donald D., xxx-xx-xxxx  
Hawn, Arthur E., xxx-xx-xxxx  
Hayes, Richard D., Jr., xxx-xx-xxxx  
Hazeleaf, Robert F., xxx-xx-xxxx  
Hemenway, Ward W., xxx-xx-xxxx  
Hepfer, John W., xxx-xx-xxxx  
Herman, Ralph H., xxx-xx-xxxx  
Hestle, Roosevelt, Jr., xxx-xx-xxxx  
Heyde, Richard R., xxx-xx-xxxx  
Hoonette, Lovic P., Jr., xxx-xx-xxxx  
Hoggatt, Ralph S., xxx-xx-xxxx  
Hogue, Harvey H., xxx-xx-xxxx  
Hollis, Eugene L., Jr., xxx-xx-xxxx  
Hollway, Donald W., xxx-xx-xxxx  
Horkans, Clifford J., xxx-xx-xxxx  
Horne, Lewis C., xxx-xx-xxxx  
Horton, Merrill Q., xxx-xx-xxxx  
Horvath, Raymond L., xxx-xx-xxxx  
Houlihan, Charles J., xxx-xx-xxxx  
Huber, Vernon R., xxx-xx-xxxx  
Hughes, James L., xxx-xx-xxxx  
Hulse, Merrill W., xxx-xx-xxxx  
Humphreys, Francis A., Jr., xxx-xx-xxxx  
Hupp, George G., xxx-xx-xxxx  
Hussey, Frank S., Jr., xxx-xx-xxxx  
Hux, Robert J., xxx-xx-xxxx  
Iddings, Archie T., Jr., xxx-xx-xxxx  
Inge, Leon S., xxx-xx-xxxx  
Ingram, Paul M., xxx-xx-xxxx  
Innis, John W., xxx-xx-xxxx  
Jacobs, Carol F., xxx-xx-xxxx  
Jakes, Julian E., xxx-xx-xxxx  
James, George T., Jr., xxx-xx-xxxx  
Jarrett, Stanley J., xxx-xx-xxxx  
Jeffords, Derrell B., xxx-xx-xxxx  
Jensen, Donald A., xxx-xx-xxxx  
Jensen, Warren R., xxx-xx-xxxx  
Jiggetts, Charles B., xxx-xx-xxxx  
Johnson, Ellwood E., xxx-xx-xxxx  
Johnson, James M., Jr., xxx-xx-xxxx  
Johnson, Lawrence J., xxx-xx-xxxx  
Jolley, John E., Jr., xxx-xx-xxxx  
Jordan, Harold K., xxx-xx-xxxx  
Kane, Ronald D., xxx-xx-xxxx  
Kaseman, Ralph D., Jr., xxx-xx-xxxx  
Kendall, James S., xxx-xx-xxxx  
Kennon, John C., xxx-xx-xxxx  
Kent, James H., xxx-xx-xxxx  
Kimes, Ira L., Jr., xxx-xx-xxxx  
King, Bruce F., xxx-xx-xxxx  
Kirby, Robert D., xxx-xx-xxxx  
Kirk, John H., xxx-xx-xxxx  
Kirk, Thomas H., Jr., xxx-xx-xxxx  
Kitchens, Grady E., xxx-xx-xxxx  
Kittinger, Joseph W., Jr., xxx-xx-xxxx  
Klang, Donald R., xxx-xx-xxxx  
Klobassa, Charles E., xxx-xx-xxxx  
Knapp, Budd F., xxx-xx-xxxx  
Knox, William D., xxx-xx-xxxx  
Komstedt, William A., Jr., xxx-xx-xxxx  
Kranidas, Evans, xxx-xx-xxxx  
Kulpa, John E., Jr., xxx-xx-xxxx  
Kuyk, Charles F. G., Jr., xxx-xx-xxxx  
Kyler, Frederick C., xxx-xx-xxxx  
Laccetti, Joseph N., xxx-xx-xxxx  
Lafave, Richard E., xxx-xx-xxxx  
Lanham, William T., xxx-xx-xxxx  
Larsen, Phillip N., xxx-xx-xxxx  
Lawrence, Louis I., xxx-xx-xxxx  
Lawry, Raymond G., xxx-xx-xxxx  
Leavitt, Lloyd R., Jr., xxx-xx-xxxx  
Leiser, Louis G., xxx-xx-xxxx  
Leitzel, Marvin R., xxx-xx-xxxx  
Lemons, Roy D., xxx-xx-xxxx  
Leong, Herbert, xxx-xx-xxxx  
Letarte, Grosvenor H., xxx-xx-xxxx  
Lewin, Melvin H., xxx-xx-xxxx  
Lewis, William H., xxx-xx-xxxx  
Liotta, Robert G., xxx-xx-xxxx  
Lockington, Henry R., xxx-xx-xxxx  
Looney, William R., xxx-xx-xxxx  
Lowrey, John E., xxx-xx-xxxx  
Loyd, Charles F., xxx-xx-xxxx  
Lyell, William A., xxx-xx-xxxx  
Maberry, Fred W., Jr., xxx-xx-xxxx  
Mace, Theodore N., xxx-xx-xxxx  
Mackey, Francis J., xxx-xx-xxxx  
MacLachlan, William I., xxx-xx-xxxx  
Maddox, Notley G., xxx-xx-xxxx  
Magee, Lawton W., xxx-xx-xxxx  
Maglione, Ralph J., Jr., xxx-xx-xxxx  
Maloy, Frederick L., xxx-xx-xxxx  
Maresca, Mauro E., xxx-xx-xxxx  
Mariconda, Albert J., xxx-xx-xxxx  
Martin, Mathias J., xxx-xx-xxxx  
Matheson, Hugh M., xxx-xx-xxxx  
Matthews, John W., Jr., xxx-xx-xxxx  
Maul, Paul W., xxx-xx-xxxx  
Mauro, Louis S., xxx-xx-xxxx  
Mauterer, Oscar, xxx-xx-xxxx  
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McCutchen, Robert K., xxx-xx-xxxx  
McDaniel, Jack D., xxx-xx-xxxx  
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McLain, Roy W., xxx-xx-xxxx  
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Mendel, Edward, xxx-xx-xxxx  
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Miller, William F., xxx-xx-xxxx  
Minish, James A., xxx-xx-xxxx  
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Mol, William D., xxx-xx-xxxx  
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Okane, Robert W., xxx-xx-xxxx  
Olsen, Leo F., Jr., xxx-xx-xxxx  
O'Neal, Ray C., xxx-xx-xxxx  
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Otto, Lyle B., xxx-xx-xxxx  
Overhey, Landon F., Jr., xxx-xx-xxxx  
Owen Roy W., Jr., xxx-xx-xxxx  
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Passarello, Frank J., xxx-xx-xxxx  
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Payne, Don H., xxx-xx-xxxx  
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Pazel, Louis G., xxx-xx-xxxx  
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Pennington, Bob M., xxx-xx-xxxx  
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Pickel, Edward E., xxx-xx-xxxx  
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Ramsey, James B., xxx-xx-xxxx  
Randall, James E. P., xxx-xx-xxxx  
Reeder, Eugene P., xxx-xx-xxxx  
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Reid, John E., xxx-xx-xxxx  
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Rippetoe, David E. Jr., xxx-xx-xxxx  
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Robinson, Jack K., xxx-xx-xxxx  
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Ryan, Malcom E. Jr., xxx-xx-xxxx  
Ryan, Thomas M. Jr., xxx-xx-xxxx  
Ryland, Russell S., xxx-xx-xxxx  
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Sandrock, Vernon H., xxx-xx-xxxx  
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Saye, Robert N. Jr., xxx-xx-xxxx  
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Scott, Eugene D., xxx-xx-xxxx  
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Segars, Frank L., xxx-xx-xxxx  
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Shannon, Charles E., xxx-xx-xxxx  
Shaw, Jack B., xxx-xx-xxxx  
Sheridan, Robert E., xxx-xx-xxxx  
Sifford, Billy B., xxx-xx-xxxx  
Sills, James H., xxx-xx-xxxx  
Simonton, Jack, xxx-xx-xxxx  
Singleton, Alvers I., xxx-xx-xxxx  
Skeltton, Richard E., xxx-xx-xxxx  
Skinner, William E., xxx-xx-xxxx  
Slattery, William C., xxx-xx-xxxx  
Slay, James R., xxx-xx-xxxx  
Smedes, Norman R., xxx-xx-xxxx  
Smith, Boyce M., xxx-xx-xxxx  
Smith, Gilbert E., xxx-xx-xxxx  
Smith, Kendall P., xxx-xx-xxxx  
Smith, Richard C., xxx-xx-xxxx  
Smith, Robert G., xxx-xx-xxxx  
Spearel, Donald W., xxx-xx-xxxx  
Speer, Homer H., Jr., xxx-xx-xxxx  
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Stephens, Karl W., xxx-xx-xxxx  
Stirman, Ernest J., xxx-xx-xxxx  
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Stone, Carl E., xxx-xx-xxxx  
Stover, Dorsey L., xxx-xx-xxxx  
Straughan, Robert IV, xxx-xx-xxxx  
Streit, John P., xxx-xx-xxxx  
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Sullivan, Dennis E., xxx-xx-xxxx  
Tandler, Tyler W., xxx-xx-xxxx  
Taylor, Daniel D., xxx-xx-xxxx  
Thomas, Clarence W., xxx-xx-xxxx  
Thompson, Robert J., xxx-xx-xxxx  
Thomson, David L., xxx-xx-xxxx  
Thurman, Nelson D., Jr., xxx-xx-xxxx



Tomlin, Whitney N., xxx-xx-xxxx  
 Torracio, Pasquale, xxx-xx-xxxx  
 Townsend, Jack H., xxx-xx-xxxx  
 Tripp, Daryle E., xxx-xx-xxxx  
 Trout, Melville G., Jr., xxx-xx-xxxx  
 True, Everett L., xxx-xx-xxxx  
 Tsufis, Bill F., xxx-xx-xxxx  
 Ulrich, Lloyd C., xxx-xx-xxxx  
 Van Huss, George D. Jr., xxx-xx-xxxx  
 Vinson, Bobby G., xxx-xx-xxxx  
 Vogels, David S., Jr., xxx-xx-xxxx  
 Vojvodich, Mele, Jr., xxx-xx-xxxx  
 Wade, Thomas D., xxx-xx-xxxx  
 Walters, Frederick B., xxx-xx-xxxx  
 Warren, Frederick T., xxx-xx-xxxx  
 Watt, Donald H., xxx-xx-xxxx  
 Watt, Ross W., Jr., xxx-xx-xxxx  
 Webb, John L., xxx-xx-xxxx  
 Weber, Howard S., Jr., xxx-xx-xxxx  
 Weber, Robert L., xxx-xx-xxxx  
 Wechter, Jerome E., xxx-xx-xxxx  
 Weight, Clay D., xxx-xx-xxxx  
 Wheeler, Alan D., xxx-xx-xxxx  
 Wheeler, Bruce H., xxx-xx-xxxx  
 Whipple, Lorin D., xxx-xx-xxxx  
 White, Allie B., Jr., xxx-xx-xxxx  
 White, Robert M., xxx-xx-xxxx  
 Whiting, Robert E., xxx-xx-xxxx  
 Wiebold, Theodore L., xxx-xx-xxxx  
 Wilcox, Paul A., xxx-xx-xxxx  
 Wilkie, Robert F., xxx-xx-xxxx  
 Wilkerson, Alva L., xxx-xx-xxxx  
 Williamson, James M., xxx-xx-xxxx  
 Wimberley, Harold K., xxx-xx-xxxx  
 Winkler, Julius S., xxx-xx-xxxx  
 Woods, Charles E., xxx-xx-xxxx  
 Wright, Harold V., xxx-xx-xxxx  
 Wyatt, Elvin O., xxx-xx-xxxx  
 Yery, Richard T., xxx-xx-xxxx  
 York, Theodore R., xxx-xx-xxxx  
 Young, Frank L., xxx-xx-xxxx  
 Younker, Barr D., xxx-xx-xxxx  
 Zagorski, Frank J., xxx-xx-xxxx  
 Zavitz, Paul R., xxx-xx-xxxx  
 Zbar, Allan L., xxx-xx-xxxx  
 Zimmerman, Clarence, xxx-xx-xxxx  
 Zuro, Joseph E., xxx-xx-xxxx

## CHAPLAINS

Bauer, Walter R., xxx-xx-xxxx  
 Curran, John J., xxx-xx-xxxx  
 Folkers, Norman G., xxx-xx-xxxx  
 Hafermann, Henry H., xxx-xx-xxxx  
 Hays, James L., xxx-xx-xxxx  
 Miller, Richard D., xxx-xx-xxxx  
 Rothman, Robert C., xxx-xx-xxxx  
 Shively, Deane S., xxx-xx-xxxx  
 Sylwester, Oscar L., xxx-xx-xxxx  
 Zolnerowich, Peter, xxx-xx-xxxx

## DENTAL CORPS

Archambault, Jean B., xxx-xx-xxxx  
 Baker, Bill R., xxx-xx-xxxx  
 Bange, Albert A., xxx-xx-xxxx  
 Green, Hampton, Jr., xxx-xx-xxxx  
 Lazanas, Theodore P., xxx-xx-xxxx  
 Martinick, Stephen G., xxx-xx-xxxx  
 Mielke, Willard I., xxx-xx-xxxx  
 Quesinberry, Burleigh W., xxx-xx-xxxx

## MEDICAL CORPS

Behrens, William H., Jr., xxx-xx-xxxx  
 Bowers, David G., Jr., xxx-xx-xxxx  
 Breece, Grady L., Jr., xxx-xx-xxxx  
 Byrd, Richard B., xxx-xx-xxxx  
 Capps, William F., Jr., xxx-xx-xxxx  
 Dart, Leroy H., Jr., xxx-xx-xxxx  
 Dees, Doyce B., Jr., xxx-xx-xxxx  
 Dunn, John N., xxx-xx-xxxx  
 Dye, William B., xxx-xx-xxxx  
 Gould, Kenneth G., Jr., xxx-xx-xxxx  
 Greendyke, William H., xxx-xx-xxxx  
 Hansen, Richard D., xxx-xx-xxxx  
 Hoffman, Paul E., xxx-xx-xxxx  
 Kemmerer, William T., xxx-xx-xxxx  
 Lagergren, William R., xxx-xx-xxxx  
 Langdon, David E., xxx-xx-xxxx  
 Lecocq, Frank R., xxx-xx-xxxx  
 Lee, William L., Jr., xxx-xx-xxxx  
 Nugent, Paul F., Jr., xxx-xx-xxxx  
 Rogers, Bealer T., Jr., xxx-xx-xxxx  
 Ryder, Robert G., xxx-xx-xxxx  
 Salina, Richard J., xxx-xx-xxxx

## NURSE CORPS

Miedwig, Ruth C., xxx-xx-xxxx  
 Mills, Meta M., xxx-xx-xxxx

## MEDICAL SERVICE CORPS

Clarry, Robert W., xxx-xx-xxxx  
 Colon, Howard, xxx-xx-xxxx  
 Galati, Ralph H., xxx-xx-xxxx

## VETERINARY CORPS

Anderson, Donald L., xxx-xx-xxxx  
 Howells, William V., xxx-xx-xxxx

## BIOMEDICAL SCIENCES CORPS

Fesenmyer, Mary K., xxx-xx-xxxx  
 Price, William B., Jr., xxx-xx-xxxx

## Executive nominations received by the Senate on September 5, 1973:

## DEPARTMENT OF STATE

Henry A. Kissinger, of the District of Columbia, to be Secretary of State.

James E. Akins, of Ohio, a Foreign Service Officer of class 2, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Saudi Arabia.

Kingdom Gould, Jr., of Maryland, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of the Netherlands.

William R. Kintner, of Pennsylvania, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Thailand.

Robert G. Neumann, of California, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Morocco, vice Stuart W. Rockwell.

## MINISTER

Anthony J. Jurich, of Virginia, United States Negotiator on Textile Matters, for the rank of Minister.

## U.S. ARMS CONTROL AND DISARMAMENT AGENCY

J. Owen Zurhellen, Jr., of New York, to be Deputy Director of the U.S. Arms Control and Disarmament Agency, vice Philip J. Farley, resigned.

Robert H. Miller, of the District of Columbia, to be an Assistant Director of the U.S. Arms Control and Disarmament Agency, vice James F. Leonard, Jr.

## DEPARTMENT OF DEFENSE

Norman R. Augustine, of Texas, to be an Assistant Secretary of the Army, vice Robert Louis Johnson, resigned.

Walter B. LaBerge, of California, to be an Assistant Secretary of the Air Force, vice Grant Hansen, resigned.

David Samuel Potter, of Wisconsin, to be an Assistant Secretary of the Navy, vice Robert Alan Frosch, resigned.

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

John B. Rhinelander, of Virginia, to be General Counsel of the Department of Health, Education, and Welfare, vice Wilmot R. Hastings, resigned.

## DEPARTMENT OF TRANSPORTATION

Rodney Eugene Eyster, of Illinois, to be General Counsel of the Department of Transportation, vice John W. Barnum, elevated.

## ACTION

Harry J. Hogan, of Maryland, to be an Associate Director of ACTION vice Charles W. Ervin.

Marjorie W. Lynch, of Washington, to be an Associate Director of ACTION, vice Christopher M. Mould, resigned.

## CONSUMER PRODUCT SAFETY COMMISSION

R. David Pittle, of Pennsylvania, to be a Commissioner of the Consumer Product Safety Commission for a term of 5 years from October 27, 1972. (New position.)

## ENVIRONMENTAL PROTECTION AGENCY

John R. Quarles, Jr., of Virginia, to be Deputy Administrator of the Environmental

Protection Agency, vice Robert W. Fri., resigned.

## EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

John H. Powell, Jr., of Maryland, to be a member of the Equal Employment Opportunity Commission for the term expiring July 1, 1978, vice William Hill Brown III, term expired.

## FEDERAL MARITIME COMMISSION

George Henry Hearn, of New York, to be a Federal Maritime Commissioner for the term expiring June 30, 1978. (Reappointment)

## FEDERAL TRADE COMMISSION

Mary Elizabeth Hanford, of North Carolina, to be a Federal Trade Commissioner for the term of 7 years from September 26, 1973, vice Mary Gardiner Jones, term expiring.

## FOREIGN CLAIMS SETTLEMENT COMMISSION

J. Raymond Bell, of New York, to be a member of the Foreign Claims Settlement Commission of the United States for a term of 3 years from October 22, 1971, vice Theodore Jaffe, term expired.

## NATIONAL LABOR RELATIONS BOARD

Howard Jenkins, Jr., of Colorado, to be a member of the National Labor Relations Board for the term of 5 years expiring August 27, 1978. (Reappointment)

## RENEGOTIATION BOARD

Goodwin Chase, of Washington, to be a member of the Renegotiation Board, vice Richard T. Burrell, resigned.

Norman B. Houston, of Virginia, to be a member of the Renegotiation Board, vice Lawrence E. Hartwig, resigned.

## IN THE AIR FORCE

The following officer under the provisions of title 10, United States Code, section 8066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 8066, in grade as follows:

## To be lieutenant general

Maj. Gen. Joseph R. DeLuca, xxx-xx-xxxx FR (major general, Regular Air Force) U.S. Air Force.

The following officer under the provisions of title 10, United States Code, section 8066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 8066, in grade as follows:

## To be lieutenant general

Maj. Gen. Lew Allen, Jr., xxx-xx-xxxx FR (major general, Regular Air Force) U.S. Air Force, vice recess.

The following officer under the provisions of title 10, United States Code, section 8066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 8066, in grade as follows:

## To be lieutenant general

Maj. Gen. Sanford K. Moats, xxx-xx-xxxx FR (major general, Regular Air Force) U.S. Air Force, vice recess.

The following officer under the provisions of title 10, United States Code, section 8066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 8066, in grade as follows:

## To be lieutenant general

Maj. Gen. Warren D. Johnson, xxx-xx-xxxx FR (major general, Regular Air Force) U.S. Air Force.

The following officer under the provisions of title 10, United States Code, section 8066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 8066, in grade as follows:

*To be lieutenant general*

Maj. Gen. John B. Hudson, ~~xxx-xx-xxxx~~ FR (major general, Regular Air Force), U.S. Air Force.

The following officer under the provisions of title 10, United States Code, section 8066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 8066, in grade as follows:

*To be lieutenant general*

Maj. Gen. George H. McKee, ~~xxx-xx-xxxx~~ FR (major general, Regular Air Force) U.S. Air Force.

The following officer to be placed on the retired list in the grade indicated under the provisions of section 8962, title 10, of the United States Code:

*To be lieutenant general*

Lt. Gen. Austin J. Russell, ~~xxx-xx-xxxx~~ FR (major general, Regular Air Force) U.S. Air Force.

The following officer to be placed on the retired list in the grade indicated under the provisions of section 8962, title 10, of the United States Code:

*To be lieutenant general*

Lt. Gen. Jammie M. Philpott, ~~xxx-xx-xxxx~~ FR (major general, Regular Air Force) U.S. Air Force.

## IN THE ARMY

The following named officer to be placed on the retired list in grade indicated under the provisions of title 10, United States Code, section 3962:

*To be lieutenant general*

Lt. Gen. Carroll H. Dunn, ~~xxx-xx-xxxx~~ Army of the United States (major general, U.S. Army).

## IN THE NAVY

Rear Adm. Joseph P. Moorer, U.S. Navy, having been designated for commands and other duties determined by the President to be within the contemplation of title 10, United States Code, section 5231, for appointment to the grade of vice admiral while so serving and for appointment as senior Navy Member of the Military Staff Committee of the United Nations pursuant to title 10, United States Code, section 711.

Vice Adm. Harry L. Harty, Jr., U.S. Navy for appointment to the grade of vice admiral, when retired, pursuant to the provisions of title 10, United States Code, section 5233.

## IN THE AIR FORCE

The following named officers for promotion in the Regular Air Force, under the appropriate provisions of chapter 835, title 10, United States Code, as amended. All officers are subject to physical examination required by law:

## LINE OF THE AIR FORCE

*Major to lieutenant colonel*

Abein, Thomas J., ~~xxx-xx-xxxx~~  
 Abney, Kenneth L., ~~xxx-xx-xxxx~~  
 Acton, John C., Jr., ~~xxx-xx-xxxx~~  
 Adams, Glen L., ~~xxx-xx-xxxx~~  
 Adams, Harry C., ~~xxx-xx-xxxx~~  
 Adams, John D., ~~xxx-xx-xxxx~~  
 Adams, Robert S., ~~xxx-xx-xxxx~~  
 Adams, William H., ~~xxx-xx-xxxx~~  
 Adams, William T., ~~xxx-xx-xxxx~~  
 Aiken, Donald W., ~~xxx-xx-xxxx~~  
 Aitken, Edward D., ~~xxx-xx-xxxx~~  
 Albers, Gayard W., ~~xxx-xx-xxxx~~  
 Albright, Howard W., ~~xxx-xx-xxxx~~  
 Alder, John J., ~~xxx-xx-xxxx~~  
 Alderete, Edward M., ~~xxx-xx-xxxx~~  
 Aldrich, John P., ~~xxx-xx-xxxx~~  
 Alexander, Fernando, ~~xxx-xx-xxxx~~  
 Alexander, Gerald F., ~~xxx-xx-xxxx~~  
 Alldredge, Gordon D., ~~xxx-xx-xxxx~~  
 Allen, Charles J., ~~xxx-xx-xxxx~~  
 Allen, Clifford H., Jr., ~~xxx-xx-xxxx~~  
 Allen, Dan C., ~~xxx-xx-xxxx~~  
 Allen, Neyland F., Jr., ~~xxx-xx-xxxx~~  
 Allison, Alan H., ~~xxx-xx-xxxx~~

Allison, Cecil L., ~~xxx-xx-xxxx~~  
 Anderegg, Charles R., ~~xxx-xx-xxxx~~  
 Anders, Loyd J., Jr., ~~xxx-xx-xxxx~~  
 Anderson, Arthur H., ~~xxx-xx-xxxx~~  
 Anderson, Gerald W., ~~xxx-xx-xxxx~~  
 Anderson, Howard H., ~~xxx-xx-xxxx~~  
 Anderson, Jack K., ~~xxx-xx-xxxx~~  
 Anderson, John P., ~~xxx-xx-xxxx~~  
 Anderson, Phillip E., ~~xxx-xx-xxxx~~  
 Anderson, William E., ~~xxx-xx-xxxx~~  
 Anderson, William J., ~~xxx-xx-xxxx~~  
 Andrada, Thiophilos, ~~xxx-xx-xxxx~~  
 Anthony, James I., ~~xxx-xx-xxxx~~  
 Apel, Frank J., Jr., ~~xxx-xx-xxxx~~  
 Appleby, Ivan D., ~~xxx-xx-xxxx~~  
 Arbuckle, Robert V., ~~xxx-xx-xxxx~~  
 Archer, Robert G., ~~xxx-xx-xxxx~~  
 Arkle, Elmer D., ~~xxx-xx-xxxx~~  
 Armstrong, Donald C., Jr., ~~xxx-xx-xxxx~~  
 Armstrong, Larry D., ~~xxx-xx-xxxx~~  
 Armstrong, Wallace O., ~~xxx-xx-xxxx~~  
 Arnold, Ned O., ~~xxx-xx-xxxx~~  
 Arth, Donald L., ~~xxx-xx-xxxx~~  
 Arthur, Gerard, ~~xxx-xx-xxxx~~  
 Arthur, James R., ~~xxx-xx-xxxx~~  
 Ash, Rolland S., ~~xxx-xx-xxxx~~  
 Ashworth, Paul G., ~~xxx-xx-xxxx~~  
 Askin, Theodore S., ~~xxx-xx-xxxx~~  
 Assalone, Thomas E., ~~xxx-xx-xxxx~~  
 Asselanis, George K., ~~xxx-xx-xxxx~~  
 Audette, Albert D., Jr., ~~xxx-xx-xxxx~~  
 Austin, Hugh S., ~~xxx-xx-xxxx~~  
 Axley, John H., ~~xxx-xx-xxxx~~  
 Babb, Herbert A., ~~xxx-xx-xxxx~~  
 Babinski, John D., ~~xxx-xx-xxxx~~  
 Bacchieri, Leo R., ~~xxx-xx-xxxx~~  
 Bagwell, James R., ~~xxx-xx-xxxx~~  
 Bailey, Clentis W., ~~xxx-xx-xxxx~~  
 Bailey, Robert W., ~~xxx-xx-xxxx~~  
 Ballie, Ronald K., ~~xxx-xx-xxxx~~  
 Bain, Wilfred C., ~~xxx-xx-xxxx~~  
 Baird, Leslie G., ~~xxx-xx-xxxx~~  
 Baisden, James K., ~~xxx-xx-xxxx~~  
 Baker, James D., ~~xxx-xx-xxxx~~  
 Baker, Paul R., ~~xxx-xx-xxxx~~  
 Balazs, Joe Jr., ~~xxx-xx-xxxx~~  
 Bales, John E., ~~xxx-xx-xxxx~~  
 Bailles, Roy K., ~~xxx-xx-xxxx~~  
 Ballard, Jack S., ~~xxx-xx-xxxx~~  
 Ballard, William T., ~~xxx-xx-xxxx~~  
 Ballinger, Walter A., ~~xxx-xx-xxxx~~  
 Baltz, Frederick M., ~~xxx-xx-xxxx~~  
 Barchiesi, Chester A., ~~xxx-xx-xxxx~~  
 Barker, Robert R., ~~xxx-xx-xxxx~~  
 Barker, Thomas H., Jr., ~~xxx-xx-xxxx~~  
 Barlow, Earl C., ~~xxx-xx-xxxx~~  
 Barnes, Jack, ~~xxx-xx-xxxx~~  
 Barnes, Jerome R., Jr., ~~xxx-xx-xxxx~~  
 Barnes, Kyle D., Jr., ~~xxx-xx-xxxx~~  
 Barnett, James H., ~~xxx-xx-xxxx~~  
 Barnett, Robert W., ~~xxx-xx-xxxx~~  
 Baron, John C., ~~xxx-xx-xxxx~~  
 Barr, James A., ~~xxx-xx-xxxx~~  
 Barr, John R., ~~xxx-xx-xxxx~~  
 Barrett, Lis S., Jr., ~~xxx-xx-xxxx~~  
 Barrett, Sam B., ~~xxx-xx-xxxx~~  
 Bartalu, Anthony J., ~~xxx-xx-xxxx~~  
 Barthello, Marc S., Jr., ~~xxx-xx-xxxx~~  
 Base, Robert L., ~~xxx-xx-xxxx~~  
 Bateman, Thomas S., ~~xxx-xx-xxxx~~  
 Bath, Jack, Jr., ~~xxx-xx-xxxx~~  
 Battle, Benjamin R., ~~xxx-xx-xxxx~~  
 Bauer, Kenneth G., ~~xxx-xx-xxxx~~  
 Baxter, Charles L., ~~xxx-xx-xxxx~~  
 Beardsley, William H., ~~xxx-xx-xxxx~~  
 Beason, James L., ~~xxx-xx-xxxx~~  
 Becker, Thomas T., Jr., ~~xxx-xx-xxxx~~  
 Bell, Tommy I., ~~xxx-xx-xxxx~~  
 Bell, William R., ~~xxx-xx-xxxx~~  
 Below, Howard D., ~~xxx-xx-xxxx~~  
 Bennett, Allen, Jr., ~~xxx-xx-xxxx~~  
 Bennett, Robert F., ~~xxx-xx-xxxx~~  
 Bennett, Walter R., ~~xxx-xx-xxxx~~  
 Bennington, James H., ~~xxx-xx-xxxx~~  
 Benson, Charles P., Jr., ~~xxx-xx-xxxx~~  
 Berent, Mark E., ~~xxx-xx-xxxx~~  
 Bergeron, George L., Jr., ~~xxx-xx-xxxx~~  
 Bergh, Raymond G., Jr., ~~xxx-xx-xxxx~~  
 Bergquist, George E., Jr., ~~xxx-xx-xxxx~~  
 Bergschneider, Ethan A., ~~xxx-xx-xxxx~~  
 Bergstrom, Vernon M., ~~xxx-xx-xxxx~~

Berry, Bobby J., ~~xxx-xx-xxxx~~  
 Berte, Allen E., ~~xxx-xx-xxxx~~  
 Besley, Richard D., ~~xxx-xx-xxxx~~  
 Best, Charles A., ~~xxx-xx-xxxx~~  
 Beveridge, Robert B., ~~xxx-xx-xxxx~~  
 Bevivino, Thomas R., ~~xxx-xx-xxxx~~  
 Biancardi, Andrew P., ~~xxx-xx-xxxx~~  
 Bidner, Arthur, ~~xxx-xx-xxxx~~  
 Bigelow, Dwight E., Jr., ~~xxx-xx-xxxx~~  
 Birdsell, Ted P., ~~xxx-xx-xxxx~~  
 Birnkammer, Jack A., ~~xxx-xx-xxxx~~  
 Bishop, Charles E., ~~xxx-xx-xxxx~~  
 Bishop, Joe D., ~~xxx-xx-xxxx~~  
 Bissell, Schuyler, ~~xxx-xx-xxxx~~  
 Bissinger, Fred A., ~~xxx-xx-xxxx~~  
 Bissland, Alexander C., ~~xxx-xx-xxxx~~  
 Bjerken, Lennart H., ~~xxx-xx-xxxx~~  
 Black, Harley S., ~~xxx-xx-xxxx~~  
 Black, Odell S., ~~xxx-xx-xxxx~~  
 Black, Robert B., ~~xxx-xx-xxxx~~  
 Blake, John M., ~~xxx-xx-xxxx~~  
 Blake, Marlin R., ~~xxx-xx-xxxx~~  
 Bleier, Robert W., ~~xxx-xx-xxxx~~  
 Blessing, James J., ~~xxx-xx-xxxx~~  
 Blinn, Donald P., ~~xxx-xx-xxxx~~  
 Block, Burwell M., ~~xxx-xx-xxxx~~  
 Blocker, Clarence B., ~~xxx-xx-xxxx~~  
 Bloomcamp, Francis W., ~~xxx-xx-xxxx~~  
 Blue, Patrick H., ~~xxx-xx-xxxx~~  
 Boggie, Edwin D., ~~xxx-xx-xxxx~~  
 Bogoslofski, Bernard J., ~~xxx-xx-xxxx~~  
 Bohn, Lowell F., ~~xxx-xx-xxxx~~  
 Bonar, Vernon G., ~~xxx-xx-xxxx~~  
 Bonfiglio, Eugene A., ~~xxx-xx-xxxx~~  
 Bonifer, Arthur J., Sr., ~~xxx-xx-xxxx~~  
 Boothby, Lloyd W., ~~xxx-xx-xxxx~~  
 Bornkessel, Donald A., ~~xxx-xx-xxxx~~  
 Boss, Luther D., ~~xxx-xx-xxxx~~  
 Boston, Hollis B., Jr., ~~xxx-xx-xxxx~~  
 Boswell, James A., Jr., ~~xxx-xx-xxxx~~  
 Boudreau, Carlton F., ~~xxx-xx-xxxx~~  
 Boughton, Alain G., ~~xxx-xx-xxxx~~  
 Bourland, William C., ~~xxx-xx-xxxx~~  
 Bowdish, Charles G., ~~xxx-xx-xxxx~~  
 Bower, Richard J., ~~xxx-xx-xxxx~~  
 Bowersox, Ralph H., ~~xxx-xx-xxxx~~  
 Bowles, William B., ~~xxx-xx-xxxx~~  
 Bowling, George K., ~~xxx-xx-xxxx~~  
 Bowman, George P., Jr., ~~xxx-xx-xxxx~~  
 Boyd, Willis A., ~~xxx-xx-xxxx~~  
 Boykin, Luke H., Jr., ~~xxx-xx-xxxx~~  
 Brachtenbach, Leo, ~~xxx-xx-xxxx~~  
 Bradbury, Gordon H., ~~xxx-xx-xxxx~~  
 Bradley, Philip O., ~~xxx-xx-xxxx~~  
 Bradley, Preston E., ~~xxx-xx-xxxx~~  
 Brage, Carl W., ~~xxx-xx-xxxx~~  
 Brake, James L., ~~xxx-xx-xxxx~~  
 Brammer, Robert L., ~~xxx-xx-xxxx~~  
 Brandeberry, James R., ~~xxx-xx-xxxx~~  
 Bratfisch, Carl E., ~~xxx-xx-xxxx~~  
 Bratton, Paul R., III, ~~xxx-xx-xxxx~~  
 Breedon, Joseph H., ~~xxx-xx-xxxx~~  
 Brehm, Fred E., ~~xxx-xx-xxxx~~  
 Breiting, Frederick L., ~~xxx-xx-xxxx~~  
 Brennan, Philip A., ~~xxx-xx-xxxx~~  
 Brennan, Richard S., ~~xxx-xx-xxxx~~  
 Brennecke, Harold J., ~~xxx-xx-xxxx~~  
 Brentnall, Burden, ~~xxx-xx-xxxx~~  
 Brewer, Donald W., ~~xxx-xx-xxxx~~  
 Brewer, Harry L., ~~xxx-xx-xxxx~~  
 Briggs, James P., ~~xxx-xx-xxxx~~  
 Brill, Anthony J., ~~xxx-xx-xxxx~~  
 Brinsfield, Earl E., ~~xxx-xx-xxxx~~  
 Briscoe, Henry B., ~~xxx-xx-xxxx~~  
 Brisendine, Clinton R., ~~xxx-xx-xxxx~~  
 Brockman, William F., ~~xxx-xx-xxxx~~  
 Brooks, John R., ~~xxx-xx-xxxx~~  
 Brooks, Rodger L., ~~xxx-xx-xxxx~~  
 Brooksher, William R., ~~xxx-xx-xxxx~~  
 Brost, Joseph R., ~~xxx-xx-xxxx~~  
 Brown, Charles W., ~~xxx-xx-xxxx~~  
 Brown, Donald E., ~~xxx-xx-xxxx~~  
 Brown, Frederick D., Jr., ~~xxx-xx-xxxx~~  
 Brown, French C., Jr., ~~xxx-xx-xxxx~~  
 Brown, James R., ~~xxx-xx-xxxx~~  
 Brown, James M., Jr., ~~xxx-xx-xxxx~~  
 Brown, Joseph K., ~~xxx-xx-xxxx~~  
 Brown, Kirk A., ~~xxx-xx-xxxx~~  
 Brown, Lawrence L., ~~xxx-xx-xxxx~~  
 Brown, Lawton C., ~~xxx-xx-xxxx~~  
 Brown, Peter W., ~~xxx-xx-xxxx~~  
 Brown, Ray L., ~~xxx-xx-xxxx~~



Brown, Ronald D., xxx-xx-xxxx  
 Brown, Stanford E., xxx-xx-xxxx  
 Brown, Thomas D., xxx-xx-xxxx  
 Brown, Thomas E., xxx-xx-xxxx  
 Brownlee, Charles R., xxx-xx-xxxx  
 Brubaker, Eugene V., xxx-xx-xxxx  
 Bruner, Harlan K., xxx-xx-xxxx  
 Bruns, Willis J., xxx-xx-xxxx  
 Brunson, Clarence E., III, xxx-xx-xxxx  
 Bryan, William G., xxx-xx-xxxx  
 Bryant, Richard D., xxx-xx-xxxx  
 Budd, Curtis E., Jr., xxx-xx-xxxx  
 Buford, Carrol D., xxx-xx-xxxx  
 Bulka, Edward G., xxx-xx-xxxx  
 Bull, George M., xxx-xx-xxxx  
 Bulmer, Lyle L., xxx-xx-xxxx  
 Bunch, Clyde F., xxx-xx-xxxx  
 Burdett, Richard F., xxx-xx-xxxx  
 Bures, Eugene F., xxx-xx-xxxx  
 Burg, Gerald G., xxx-xx-xxxx  
 Burgeson, Harold E., xxx-xx-xxxx  
 Burke, Thomas F., xxx-xx-xxxx  
 Burke, William E., xxx-xx-xxxx  
 Burkett, William M., xxx-xx-xxxx  
 Burns, Robert J., xxx-xx-xxxx  
 Busbee, Roderick M., xxx-xx-xxxx  
 Busch, Richard J., xxx-xx-xxxx  
 Buschette, Edwin A., xxx-xx-xxxx  
 Buschmann, Eugene F., xxx-xx-xxxx  
 Butler, Donald R., xxx-xx-xxxx  
 Butner, Oliver L., Jr., xxx-xx-xxxx  
 Butt, Charles E., xxx-xx-xxxx  
 Buttyan, Eugene C., xxx-xx-xxxx  
 Buxton, Mark K., Jr., xxx-xx-xxxx  
 Bynum, John P., xxx-xx-xxxx  
 Byrnes, Donn A., xxx-xx-xxxx  
 Caceres, Jose, xxx-xx-xxxx  
 Cadena, Richard R., xxx-xx-xxxx  
 Caffery, William J., xxx-xx-xxxx  
 Calhoun, Harry P., xxx-xx-xxxx  
 Calicott, Willis D., xxx-xx-xxxx  
 Callero, Monti D., xxx-xx-xxxx  
 Calton, Aubrey L., Jr., xxx-xx-xxxx  
 Camealy, John B., xxx-xx-xxxx  
 Campbell, Billy C., xxx-xx-xxxx  
 Campbell, Charles C., xxx-xx-xxxx  
 Campbell, Duane D., xxx-xx-xxxx  
 Campbell, Jesse W., xxx-xx-xxxx  
 Campbell, William J., xxx-xx-xxxx  
 Camstra, Frank A., Jr., xxx-xx-xxxx  
 Cappaduna, Nunzio, xxx-xx-xxxx  
 Carlson, Ray W., xxx-xx-xxxx  
 Carlson, Walter G., xxx-xx-xxxx  
 Carnahan, William H., xxx-xx-xxxx  
 Carpenter, Donald G., xxx-xx-xxxx  
 Carpenter, Raymond E., Jr., xxx-xx-xxxx  
 Carrington, John D., xxx-xx-xxxx  
 Carrington, Mayo, Jr., xxx-xx-xxxx  
 Carroll, David J., xxx-xx-xxxx  
 Carroll, Gene E., xxx-xx-xxxx  
 Carson, James M., xxx-xx-xxxx  
 Carter, Buddy V., xxx-xx-xxxx  
 Carter, Charles H., xxx-xx-xxxx  
 Carter, Henry F., xxx-xx-xxxx  
 Cary, John F., xxx-xx-xxxx  
 Catron, Walter L., Jr., xxx-xx-xxxx  
 Caudry, Robert D., xxx-xx-xxxx  
 Cavanaugh, Robert T., xxx-xx-xxxx  
 Chabolla, Gilbert A., xxx-xx-xxxx  
 Chadwick, Elbridge G., xxx-xx-xxxx  
 Chadwick, Ralph O., xxx-xx-xxxx  
 Chamberlin, David D., xxx-xx-xxxx  
 Chambers, William C., xxx-xx-xxxx  
 Chapin, George P., xxx-xx-xxxx  
 Chapman, James N., Jr., xxx-xx-xxxx  
 Chappell, Richard G., xxx-xx-xxxx  
 Chapple, Richard L., xxx-xx-xxxx  
 Chatman, James I., xxx-xx-xxxx  
 Cheney, Joseph H., xxx-xx-xxxx  
 Chiddo, Joseph B., Jr., xxx-xx-xxxx  
 Chisholm, Richard K., xxx-xx-xxxx  
 Chiu, Henry D., xxx-xx-xxxx  
 Choromokos, James, Jr., xxx-xx-xxxx  
 Cicchini, Michael J., xxx-xx-xxxx  
 Cihak, Edward J., xxx-xx-xxxx  
 Clark, Andrew J., xxx-xx-xxxx  
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The following persons for appointment in the Regular Air Force, in the grades indicated, under the provisions of section 8284, title 10, United States Code, with a view to designation under the provisions of section 8067, title 10, United States Code, to perform the duties indicated, and with dates of rank to be determined by the Secretary of the Air Force:

*To be captain (dental)*

Loden, Claude D., xxx-xx-xxxx

*To be first lieutenant (dental)*

Thews, Marvin E., Jr., xxx-xx-xxxx

*To be first lieutenant (medical)*

Kendall, Wayne F., Jr., xxx-xx-xxxx

## IN THE AIR FORCE

The following-named officer for promotion in the Air Force Reserve, under the appropriate provisions of chapter 837, title 10, United States Code, as amended, and Public Law 92-129.

## LINE OF THE AIR FORCE

*Major to lieutenant colonel*

Hess, Jay C., xxx-xx-xxxx

## IN THE AIR FORCE

The following persons for appointment in the Regular Air Force, in the grade indicated, under the provisions of section 8284, title 10, United States Code, with a view to designation under the provisions of section 8067, title 10, United States Code, to perform the duties indicated, and with dates of rank to be determined by the Secretary of the Air Force:

*To be captain (dental)*

Regent, Howard S., xxx-xx-xxxx

Samuelson, John A., xxx-xx-xxxx

The following officers for appointment in the Regular Air Force, in the grade indicated, under the provisions of section 8284, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

*To be first lieutenant*

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 Anderson, Hal N., Jr., xxx-xx-xxxx  
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 Archer, Lawrence R., xxx-xx-xxxx  
 Arnold, Michael W., xxx-xx-xxxx  
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 Truesdell, William M., xxx-xx-xxxx  
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 Webb, Charles T., xxx-xx-xxxx  
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 White, Sammy C., xxx-xx-xxxx  
 Whitehouse, Floyd G., III, xxx-xx-xxxx  
 Whitney, Donald G., xxx-xx-xxxx  
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 Wood, Gary H., xxx-xx-xxxx  
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 Yuknavich, Anthony R., xxx-xx-xxxx  
 Zachary, Keeton D., xxx-xx-xxxx  
 Zapald, Peter P., Jr., xxx-xx-xxxx  
 Zeitler, James A., xxx-xx-xxxx  
 Zindell, Raymond C., Jr., xxx-xx-xxxx

## IN THE ARMY

The following-named persons for appointment in the Regular Army of the United States, by transfer in the grade specified, under the provisions of title 10, United States Code, sections 3283 through 3294:

## To be captain

Kinane, Thomas J., xxx-xx-xxxx  
 Placente, David A., xxx-xx-xxxx  
 Salander, James M., xxx-xx-xxxx

## To be first lieutenant

Harburchak, David R., xxx-xx-xxxx  
 Hurt, Duane F., xxx-xx-xxxx  
 Kiesling, Victor J., Jr., xxx-xx-xxxx  
 Larson, Steven A., xxx-xx-xxxx  
 McPhail, John F., III, xxx-xx-xxxx  
 Mendoza, Edward M., xxx-xx-xxxx  
 Mortimer, Evan E., xxx-xx-xxxx  
 Oetgen, William J., xxx-xx-xxxx  
 Ortiz, Nieves Julio E., xxx-xx-xxxx  
 Phillips, George L., xxx-xx-xxxx  
 Rathofer, Steven A., xxx-xx-xxxx  
 Rawlings, James S., xxx-xx-xxxx  
 Schweitzer, George W., xxx-xx-xxxx  
 Seyfer, Alan E., xxx-xx-xxxx  
 Slay, Robert D., Jr., xxx-xx-xxxx  
 Spitz, Terry L., xxx-xx-xxxx  
 Stewart, Charles E., xxx-xx-xxxx  
 Sutton, Ernest L., xxx-xx-xxxx  
 Tenholder, Michael E., xxx-xx-xxxx  
 Washburn, Michael, xxx-xx-xxxx  
 Youngblood, Lloyd A., xxx-xx-xxxx

The following-named persons for appointment in the Regular Army of the United States, in the grades specified, under the provisions of title 10, United States Code, sections 3283 through 3294 and 3311:

## To be captain

Hajduk, Carl J., xxx-xx-xxxx  
 Hake, Terry H., xxx-xx-xxxx  
 Hunter, Ronald D., xxx-xx-xxxx  
 Kokos, Ross D., xxx-xx-xxxx  
 Little, John A., xxx-xx-xxxx  
 Massieu, Raymond W., xxx-xx-xxxx  
 Meyer, Robert A., xxx-xx-xxxx  
 Needham, Todd L., xxx-xx-xxxx  
 Payne, Thomas F., xxx-xx-xxxx  
 Sexton, Michael P., xxx-xx-xxxx  
 Tressler, Lloyd E., xxx-xx-xxxx  
 Warnock, Glenda, xxx-xx-xxxx  
 Ziegler, Paul L., xxx-xx-xxxx

## To be first lieutenant

Biggerstaff, Edward D., III, xxx-xx-xxxx  
 Brennan, Richard S., III, xxx-xx-xxxx  
 Codd, Joseph D., xxx-xx-xxxx  
 Dye, Robert J., xxx-xx-xxxx  
 Fenwick, Douglas L., xxx-xx-xxxx  
 Hanley, Joseph B., Jr., xxx-xx-xxxx  
 Hardy, Leslie B., Jr., xxx-xx-xxxx  
 Helmcamp, Dewey E., III, xxx-xx-xxxx  
 Hill, Anis D., xxx-xx-xxxx  
 Horbaly, Jan, xxx-xx-xxxx  
 Johnson, David S., xxx-xx-xxxx  
 Jones, Frederick R., III, xxx-xx-xxxx  
 Kerr, Kay K., xxx-xx-xxxx  
 Lanam, John P., xxx-xx-xxxx  
 Long, James L., III, xxx-xx-xxxx  
 Meconi, Rocco F., Jr., xxx-xx-xxxx  
 McGinnis, Della K., xxx-xx-xxxx  
 Meyer, Carl F., Jr., xxx-xx-xxxx  
 Monti, Darlene A., xxx-xx-xxxx  
 Peterson, Charlene D., xxx-xx-xxxx  
 Peyton, Theora L., xxx-xx-xxxx  
 Truex, Patricia R., xxx-xx-xxxx  
 Vire, Donald E., xxx-xx-xxxx  
 Whalen, Patricia K., xxx-xx-xxxx  
 Wiegand, Joyce, xxx-xx-xxxx  
 Woolsey, Gerald D., xxx-xx-xxxx  
 Woolsey, Mary M., xxx-xx-xxxx  
 Young, Carey B., xxx-xx-xxxx  
 Zima, Diane F., xxx-xx-xxxx

## To be second lieutenant

Otero, Albert A., xxx-xx-xxxx  
 The following-named distinguished military students for appointment in the Regular Army of the United States, in the grade of second lieutenant, under provisions of title



10, United States Code, sections 2106, 2183, 3264, 3286, 3287, 3288, and 3290:

Ball, Robert M., xxx-xx-xxxx  
Hull, Larry H., xxx-xx-xxxx  
Jones, Herschel L., xxx-xx-xxxx  
Kaniecki, Charles J., xxx-xx-xxxx  
Ramirez, Arthur L., xxx-xx-xxxx

The following-named scholarship students for appointment in the Regular Army of the United States, in the grade of second lieutenant, under provisions of title 10, United States Code, sections 2107, 3283, 3284, 3286, 3287, 3288, and 3290:

Allen, Richard L., xxx-xx-xxxx  
Amadeo, Dana S., xxx-xx-xxxx  
Bay, Thomas A., xxx-xx-xxxx  
Edwards, Robert B., Jr., xxx-xx-xxxx  
McNab, James F., Jr., xxx-xx-xxxx  
Montgomery, Patrick R., xxx-xx-xxxx  
Powell, John B., xxx-xx-xxxx

Rethman, Michael P., xxx-xx-xxxx  
Schlomer, Donald A., xxx-xx-xxxx

The following-named cadet, graduating class 1973, U.S. Military Academy, for appointment in the Regular Army of the United States, in the grade of second lieutenant, under provisions of title 10, United States Code, sections 541, 3284 through 4353:

Hagopian, Joachim, xxx-xx-xxxx

#### IN THE MARINE CORPS

The following-named (Navy enlisted scientific education program) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Burney, Carl L., Jr.	Lane, Richard K.
Doyle, James V.	Moses, Mark S.
Fox, Martin.	Newmyer, John D.
Haskins, Dennis E.	Weigle, Walter W.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate September 5, 1973:

#### DISTRICT OF COLUMBIA REDEVELOPMENT LAND AGENCY

Pursuant to the provisions of section 4(a) of Public Law 592, 79th Congress, approved August 2, 1946, as amended, the following named person for reappointment as a member of the District of Columbia Redevelopment Land Agency:

Alfred P. Love, for a term of 5 years, effective on and after March 4, 1973.

(The above nomination was approved subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

## EXTENSIONS OF REMARKS

### MOTOR VEHICLE FUEL ECONOMY ACT

#### HON. THOMAS L. ASHLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES  
Wednesday, September 5, 1973

Mr. ASHLEY. Mr. Speaker, today I am introducing legislation designed to alleviate the growing energy crisis by requiring the manufacture of more efficient motor vehicles. The bill directs the Secretary of Transportation to establish fuel economy standards to achieve a 10-percent increase in fuel economy of the aggregate of all 1976 model motor vehicles, 20 percent in 1978 models, and 30 percent in 1980 models.

A serious shortage of refined petroleum products is developing in this country. One need only talk to the parents of children whose schools were closed down last winter for a lack of fuel oil or to employees of factories that could not be heated to their normal temperatures to understand the problem. Or one could talk to people who could not travel freely this summer because of the scattered shortage of gasoline or to one of the more than 1,500 independent gas dealers who are now looking for new jobs because the shortages forced them out of business.

The problem will not go away; in fact, it will intensify in the years to come. The failure of the Federal Government to provide leadership to encourage alternative sources of energy—combined with the long leadtimes involved in developing new energy sources—means that it is beyond our power at this point to substantially alter the energy picture for the remainder of the decade.

Since the U.S. output of oil and natural gas has levelled off in recent years, while consumer demand has continued to soar, this will mean greater reliance on oil imports; by 1980, we could reach as much as 50 percent dependency on foreign oil alone, with most of the increase coming from the Middle East. While the imports will help meet our short-term needs, the foreign policy and economic implications of overdependence on imported oil are very disturbing and a long-range solution which decreases dependence on oil imports is needed.

Central to our demand for oil is the automobile. It accounts for approximately 40 percent of the oil consumed in this country and it is well documented that the overall efficiency of the automobile as a user of energy is very low; estimates range between 10 and 15 percent. Moreover, the efficiency of automobiles has been steadily declining. Between 1960 and 1968, before air pollution standards came into being, the efficiency of operation dropped 3 percent. In a study completed in November 1972, the Environmental Protection Agency concluded that the average fuel economy loss due to emission control for all controlled vehicles—1968 to 1973—is 7.7 percent. To provide an appropriate perspective, one must relate that data to other fuel economy penalties being experienced in today's cars. EPA laboratory tests, for example, show a 9 percent loss for operating air conditioning in a full-sized car and this penalty can go as high as 20 percent for continuous use on a hot day in urban traffic. The fuel economy penalty associated with the use of automatic transmissions is 5 to 6 percent.

The EPA study revealed that the fuel economy loss associated with emission controls is significantly less than that many vehicle operators claim they are experiencing. One major reason for this is that much of the decreased fuel economy observed is in fact attributable to the phenomenon of nameplate weight growth. When a nameplate—Chevrolet Impala, for example—is first introduced, it identifies a vehicle weighing a certain amount. Over the years, however, vehicles with the same nameplates have typically become heavier, a trend often unnoticed by the driver. These weight gains play a major role in decreased fuel economy, because weight is the single most important vehicle design parameter affecting fuel: A 5,000-pound vehicle demonstrates 50 percent lower fuel economy than a 2,500-pound vehicle.

Selecting fuel economy as the parameter rather than weight or horsepower will give the manufacturers more flexibility to introduce new technology to meet the required 30-percent increase in fuel economy by 1980. Thus, the auto manufacturers would be free to simply reduce vehicle weight or they could work

to develop and perfect new technology. For example, the stratified charge engine presently exhibits 12 percent better fuel economy than the average 1973 vehicle of the same weight and the diesel engine achieves almost 75 percent better gas mileage over the average 1973 vehicle of the same weight equipped with a conventional engine and has already met the emission levels required by the 1975 EPA standards.

The bill would also allow a brief exemption—not to exceed 3 years—from the standards for new technology which the Secretary of Transportation certifies may reasonably be expected to achieve significant improvements in fuel economy. The time permitted would be long enough to allow a full examination of the potentialities of new technology without being so long as to have a major adverse effect on the consumption of gasoline. Thus, the legislation would give auto manufacturers ample time and opportunity to develop the best possible technology from every standpoint and so avoid repetition of a partial solution such as the catalytic converter, which will help automobiles meet the air pollution standards but which are the most uneconomical solution possible in terms of the loss of fuel economy and cost to the consumer.

Finally, the bill would require manufacturers to provide fuel economy information in all advertisements. This would be an effective consumer education measure and would also stimulate the manufacturers to increase fuel economy beyond the required standards.

While it is not possible to precisely predict the effect of this legislation, it is worth noting that a recent Department of Transportation study determined that a 30-percent reduction in fuel consumption in 50-percent of highway vehicles would result in a 12-percent savings in transportation energy needs.

Another way of assessing the possible effects of this bill is that if the average weight of automobiles in this country were reduced to 2,500 pounds, 17 billion gallons of gasoline would have been saved in 1972. This compares to a projected 92 billion gallons of crude oil to be imported from the Middle East in 1980. Since about 50 percent of crude oil is converted to gasoline, this single con-